

**R 336.2607**  
**Source:** 1980 AACS.

**R 336.2608**  
**Source:** 1997 AACS.

## **PART 17. HEARINGS**

**R 336.2701**  
**Source:** 1998-2000 AACS.

**R 336.2702**  
**Source:** 1998-2000 AACS.

**R 335.2703**  
**Source:** 1998-2000 AACS.

**R 336.2703**  
**Source:** 1980 AACS.

**R 336.2704**  
**Source:** 1980 AACS.

**R 336.2705**  
**Source:** 1980 AACS.

**R 336.2706**  
**Source:** 1980 AACS.

## **PART 18. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY**

### **R 336.2801 Definitions.**

Rule 1801. The following definitions apply to terms used in this part. If a term defined in this part is also defined elsewhere in the rules, then the definition contained here applies for this part only.

(a) “Actual emissions” means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2823. Instead, the terms “projected actual emissions” and “baseline actual emissions” shall apply for those purposes.

(b) “Baseline actual emissions” means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following:

(i) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period upon a determination that it is more representative of normal source operation. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

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**2012 Edition**

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the department for a permit required by R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the state has taken credit for such emissions reductions in an attainment demonstration or maintenance plan submitted to the U.S. environmental protection agency. The provisions of 40 C.F.R. part 63 are adopted by reference in R 336.2801a.

(D) For a regulated new source review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plantwide applicability limit for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Baseline area" means all of the following:

(i) Any intrastate area, and every part thereof, designated as attainment or unclassifiable under section 107(d)(1) (D) or (E) of the clean air act in which the major source or major modification establishing the minor source baseline date would construct or would have an annual average air quality impact equal to or greater than 1 microgram per cubic meter for sulfur dioxide, oxides of nitrogen, or PM-10, or 0.3 microgram per cubic meter for PM 2.5 of the pollutant for which the minor source baseline date is established.

(ii) Area redesignations under section 107(d)(1) (D) or (E) of the clean air act shall not intersect or be smaller than the area of impact of any major stationary source or major modification which does either of the following:

(A) Establishes a minor source baseline date.

(B) Is subject to PSD regulations or new source review for major sources in nonattainment areas regulations.

(iii) Any baseline area established originally for the total suspended particulates increments shall remain in effect and shall apply for purposes of determining the amount of available PM-10 increments, except that the baseline area shall not remain in effect if the department rescinds the corresponding minor source baseline date under subdivision (bb)(iv) of this rule.

(d) "Baseline concentration" means the value derived using the following procedures:

(i) The ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established and shall include both of the following:

(A) The actual emissions representative of sources in existence on the applicable minor source baseline date.

(B) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.

(ii) The following shall not be included in the baseline concentration and shall affect the applicable maximum allowable increase:

(A) Actual emissions from any major stationary source on which construction commenced after the major source baseline date.

(B) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.

(e) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and

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**2012 Edition**

foundations, laying of underground pipework, and construction of permanent storage structures. "A change in method of operation" refers to those on-site activities, other than preparatory activities, which mark the initiation of the change.

(f) "Best available control technology" or "BACT" means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant, which would be emitted from any proposed major stationary source or major modification which the department -- on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs -- determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combination techniques for control of the pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. parts 60 and 61, adopted by reference in R 336.2801a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. The standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

(g) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-digit major group code associated with their primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. For assistance in converting north American industrial classification system codes to standard industrial classification codes see <http://www.census.gov/epcd/naics02/>.

(h) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

(i) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "Department of Energy -- Clean Coal Technology," up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the United States Environmental Protection Agency. The federal contribution for a qualifying project shall be at least 20% of the total cost of the demonstration project.

(j) [Reserved]

(k) "Commence," as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits and has done either of the following:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(l) "Complete" means, in reference to an application for a permit, that the application contains all the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the department from requesting or accepting additional information.

(m) "Construction" means any physical change or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

(n) "Continuous emissions monitoring system" or "CEMS" means all of the equipment that may be required to meet the data acquisition and availability requirements of these rules, to sample, condition if applicable, analyze, and provide a record of emissions on a continuous basis.

(o) "Continuous emissions rate monitoring system" or "CERMS" means the total equipment required for the determination and recording of the pollutant mass emissions rate in terms of mass per unit of time.

(p) "Continuous parameter monitoring system" or "CPMS" means all of the equipment necessary to meet the data acquisition and availability requirements of these rules, to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and to record average operational parameter value or values on a continuous basis.

(q) "Electric utility steam generating unit" means any steam electric generating unit that is constructed for supplying more than 1/3 of its potential electric output capacity and more than 25 megawatt electrical output to any utility power distribution system for sale. Steam supplied to a steam distribution system for providing steam to a steam-electric generator that would

**Annual Administrative Code Supplement**  
**2012 Edition**

produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(r) "Emissions unit" means any part of a stationary source that emits or would have the potential to emit any regulated new source review pollutant and includes an electric utility steam generating unit. Both of the following are types of emissions units:

(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. A replacement unit shall meet all of the following criteria:

(A) The emissions unit is a reconstructed unit if the replacement of components of an existing facility is to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new facility or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

(D) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(s) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(t) "High terrain" means an area having an elevation 900 feet or more above the base of the stack of a source.

(u) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

(v) "Indian reservation" means any federally recognized reservation established by treaty, agreement, executive order, or act of congress.

(w) "Indian governing body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.

(x) "Innovative control technology" means any system of air pollution control that has not been adequately demonstrated in practice, but may have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or non-air quality environmental impacts.

(y) "Low terrain" means any area other than high terrain.

(z) "Lowest achievable emission rate" or "LAER", for any source, means the more stringent rate of emissions based on R 336.1112(f).

(aa) "Major modification" means any of the following:

(i) Physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions increase of that pollutant from the major stationary source.

(ii) A significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds or oxides of nitrogen shall be considered significant for ozone.

(iii) Physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of any order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 or by reason of a natural gas curtailment plan under the Federal Power Act.

(C) Use of an alternative fuel by reason of an order or rule under section 125 of the clean air act.

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) Use of an alternative fuel or raw material by a stationary source which meets either of the following:

(1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).

(2) The source is approved to use under any permit issued under PSD regulations or under R 336.1201(1)(a).

**Annual Administrative Code Supplement**  
**2012 Edition**

(F) An increase in the hours of operation or in the production rate, unless the change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with both of the following:

(1) The state implementation plan.

(2) Other requirements necessary to attain and maintain the national ambient air quality standards during the project and after the project is terminated.

(J) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(K) The reactivation of a very clean coal-fired electric utility steam generating unit.

(iv) This definition shall not apply with respect to a particular regulated new source review pollutant when the major stationary source is complying with the requirements for an actuals PAL for that pollutant. Instead, the definition of PAL major modification in R 336.2823 shall apply.

(bb) All of the following apply to major and minor source baseline dates:

(i) "Major source baseline date" means all of the following:

(A) January 6, 1975, for particulate matter and sulfur dioxide.

(B) February 8, 1988, for nitrogen dioxide.

(C) October 20, 2010 for PM 2.5

(ii) "Minor source baseline date" means the earliest date after the trigger date on which a major stationary source or a major modification subject to PSD regulations submits a complete application under the relevant regulations. The trigger date is all of the following:

(A) August 7, 1977, for particulate matter and sulfur dioxide.

(B) February 8, 1988, for nitrogen dioxide.

(C) October 20, 2011 for PM 2.5

(iii) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if both of the following occur:

(A) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i) (D) or (E) of the clean air act for the pollutant on the date of its complete application under R 336.1201 and PSD regulations.

(B) If a major stationary source, the pollutant would be emitted in significant amounts, or, if a major modification, there would be a significant net emissions increase of the pollutant.

(iv) Any minor source baseline date established originally for the total suspended particulates increments shall remain in effect and shall apply for determining the amount of available PM-10 increments, except that the department may rescind any minor source baseline date where it can be shown, to the satisfaction of the department, that the emissions increase from the major stationary source, or the net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM-10 emissions.

(cc) "Major stationary source" means any of the following:

(i) Any of the following stationary sources of air pollutants which emit, or has the potential to emit, 100 tons per year or more of a regulated new source review pollutant:

(A) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.

(B) Coal cleaning plants with thermal dryers.

(C) Kraft pulp mills.

(D) Portland cement plants.

(E) Primary zinc smelters.

(F) Iron and steel mill plants.

(G) Primary aluminum ore reduction plants.

(H) Primary copper smelters.

(I) Municipal incinerators capable of charging more than 250 tons of refuse per day.

(J) Hydrofluoric, sulfuric, and nitric acid plants.

(K) Petroleum refineries.

(L) Lime plants.

(M) Phosphate rock processing plants.

**Annual Administrative Code Supplement**  
**2012 Edition**

- (N) Coke oven batteries.
- (O) Sulfur recovery plants.
- (P) Carbon black plants (furnace process).
- (Q) Primary lead smelters.
- (R) Fuel conversion plants.
- (S) Sintering plants.
- (T) Secondary metal production plants.
- (U) Chemical process plants. The term chemical process plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industrial Classification System codes 325193 or 312140.
- (V) Fossil fuel boilers, or combinations thereof, totaling more than 250 million British thermal units per hour heat input.
- (W) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
- (X) Taconite ore processing plants.
- (Y) Glass fiber processing plants.
- (Z) Charcoal production plants.
- (ii) Any stationary source not listed in the previous subdivision which emits, or has the potential to emit, 250 tons per year or more of a regulated new source review pollutant.
- (iii) Any physical change that would occur at a stationary source not otherwise qualifying under subdivision (cc) of this subrule, as a major stationary source if the change would constitute a major stationary source by itself.
- (iv) A major source that is major for volatile organic compounds or oxides of nitrogen shall be considered major for ozone.
- (v) The fugitive emissions of a stationary source shall not be included in determining, for any of the purposes of this rule, whether it is a major stationary source, unless the source belongs to 1 of the categories of stationary sources listed in paragraph (i) of this subdivision.
- (dd) "Necessary preconstruction approvals or permits" means a permit issued under R 336.1201(1)(a) that is required by R 336.2801 to R 336.2819, R 336.2823, and R 336.2830 or R 336.1220.
- (ee) "Net emissions increase" means all of the following:
  - (i) For any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:
    - (A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2802(4).
    - (B) Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases under this paragraph shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this rule shall not apply.
  - (ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the following:
    - (A) The date 5 years before construction on the particular change commences.
    - (B) The date that the increase from the particular change occurs.
  - (iii) An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.
  - (iv) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or oxides of nitrogen that occurs before the applicable minor source baseline date is creditable only if it is required in calculating the amount of maximum allowable increases remaining available.
  - (v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.
  - (vi) A decrease in actual emissions is creditable only to the extent that it meets all of the following criteria:
    - (A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions.
    - (B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.
    - (C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.
  - (vii) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. A replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.
  - (viii) The definition of actual emissions in R 336.1101(b) shall not apply for determining creditable increases and decreases after a change, instead the definitions of the terms "projected actual emissions" and "baseline emissions" shall be used.

**Annual Administrative Code Supplement**  
**2012 Edition**

(ff) [Reserved]

(gg) "Pollution prevention" means any activity that through process changes, product reformulation or redesign, or substitution of less polluting raw materials, eliminates or reduces the release of air pollutants, including fugitive emissions, and other pollutants to the environment before recycling, treatment, or disposal. Pollution prevention does not mean recycling, other than certain "in-process recycling" practices, energy recovery, treatment, or disposal.

(hh) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. A physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is legally enforceable and enforceable as a practical matter by the state, local air pollution control agency, or United States environmental protection agency. Secondary emissions do not count in determining the potential to emit of a stationary source.

(ii) "Predictive emissions monitoring system" or "PEMS" means all of the equipment necessary to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and calculate and record the mass emissions rate (for example, pounds per hour) on a continuous basis.

(jj) "Prevention of significant deterioration" or "PSD" program means the major source preconstruction permit program required by 40 C.F.R. §52.21, adopted by reference in R 336.2801a, or R 336.2801 to R 336.2819, R 336.2823 and R 336.2830. A permit issued under this program is a major NSR permit.

(kk) "Project" means a physical change in, or change in method of operation of, an existing major stationary source.

(ll) "Projected actual emissions" means all of the following:

(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 years (12-month period) following the date the unit resumes regular operation after the project, or in any 1 of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit that regulated new source review pollutant, and full utilization of the unit would result in a significant emissions increase, or a significant net emissions increase at the major stationary source.

(ii) In determining the projected actual emissions, before beginning actual construction, the owner or operator of the major stationary source shall do all of the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the state implementation plan.

(B) Include fugitive emissions to the extent quantifiable and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(iii) The owner or operator of a major stationary source may use the emissions unit's potential to emit, in tons per year, instead of calculating projected actual emissions.

(mm) "Reactivation of a very clean coal-fired electric utility steam generating unit" means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit meets all of the following criteria:

(i) The unit was not in operation for the 2-year period before the enactment of the clean air act amendments of 1990, and the emissions from the unit continue to be carried in the department's emissions inventory at the time of enactment.

(ii) The unit was equipped before shutdown with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of not less than 85% and a removal efficiency for particulates of not less than 98%.

(iii) The unit was equipped with low-oxides of nitrogen burners before the time of commencement of operations following reactivation.

(iv) The unit otherwise complies with the requirements of the clean air act.

(nn) "Regulated new source review pollutant," for purposes of this rule, means all of the following:

(i) A pollutant for which a national ambient air quality standard has been promulgated and any constituents or precursors for the pollutants identified by the United States environmental protection agency. For example, volatile organic compounds and oxides of nitrogen are precursors for ozone, and oxides of nitrogen and sulfur dioxide are precursors for PM 2.5.

(ii) A pollutant that is subject to any standard promulgated under section 111 of the clean air act.

(iii) A class I or II substance subject to a standard promulgated under or established by title VI of the clean air act.

(iv) A pollutant that otherwise is subject to regulation under the clean air act; except that any or all hazardous air pollutants either listed in section 112 of the clean air act or added to the list under section 112(b)(2) of the clean air act, which have not

**Annual Administrative Code Supplement**  
**2012 Edition**

been delisted under section 112(b)(3) of the clean air act, are not regulated new source review pollutants unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the clean air act.

(oo) "Repowering" means all of the following:

(i) Replacement of an existing coal-fired boiler with 1 of the following clean coal technologies:

(A) Atmospheric or pressurized fluidized bed combustion.

(B) Integrated gasification combined cycle.

(C) Magneto hydrodynamics.

(D) Direct and indirect coal-fired turbines.

(E) Integrated gasification fuel cells.

(F) A derivative of 1 or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990, as determined by the United States environmental protection agency, in consultation with the Secretary of Energy.

(ii) Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the United States Department of Energy.

(iii) The department shall give expedited consideration to permit applications for any source that satisfies the definition of repowering and is granted an extension under section 409 of the clean air act.

(pp) "Secondary emissions" means emissions which occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general areas the stationary source modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(qq) "Significant" means:

(i) In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following pollutant emission rates:

(A) Carbon monoxide: 100 tons per year.

(B) Oxides of nitrogen: 40 tons per year.

(C) Sulfur dioxide: 40 tons per year.

(D) Particulate matter: 25 tons per year of particulate matter emissions.

(E) PM-10: 15 tons per year of PM-10 emissions.

(F) PM 2.5: 10 tons per year of PM 2.5 emissions; 40 tons per year of sulfur dioxide emissions; 40 tons per year of oxides of nitrogen emissions.

(G) Ozone: 40 tons per year of volatile organic compounds or oxides of nitrogen.

(H) Lead: 0.6 tons per year.

(I) Fluorides: 3 tons per year.

(J) Sulfuric acid mist: 7 tons per year.

(K) Hydrogen sulfide: 10 tons per year.

(L) Total reduced sulfur, including hydrogen sulfide: 10 tons per year.

(M) Reduced sulfur compounds, including hydrogen sulfide: 10 tons per year.

(N) Municipal waste combustor organics, measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans:  $3.2 \times 10^{-6}$  megagrams per year or  $3.5 \times 10^{-6}$  tons per year.

(O) Municipal waste combustor metals, measured as particulate matter: 14 megagrams per year or 15 tons per year.

(P) Municipal waste combustor acid gases, measured as sulfur dioxide and hydrogen chloride: 36 megagrams per year or 40 tons per year.

(Q) Municipal solid waste landfill emissions, measured as nonmethane organic compounds: 45 megagrams per year or 50 tons per year.

(ii) In reference to a net emissions increase or the potential of a source to emit a regulated new source review pollutant not listed in this definition, any emissions rate.

(iii) Any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within 10 kilometers of a class I area, and have an impact on such area equal to or greater than 1 microgram per cubic meter (24hour average).

(rr) "Significant emissions increase" means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.

**Annual Administrative Code Supplement**  
**2012 Edition**

(ss) “Stationary source” means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.

(tt) “Temporary clean coal technology demonstration project” means a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during and after the project is terminated.

History: 2006 AACS; 2008 AACS; 2011 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2801a**

**Source:** 2006 AACS.

**R 336.2802**

**Source:** 2006 AACS.

**R 336.2803 Ambient air increments**

Rule 1803. In areas designated as class I, II, or III, increases in pollutant concentration over the baseline concentration shall be limited to all of the following:

**Table 182**

Ambient Air Increments

Pollutant	Maximum Allowable Increase (micrograms per cubic meter)
<b>CLASS I</b>	
Particulate matter:	
PM-10, annual arithmetic mean	4
PM-10, 24-hour maximum	8
PM 2.5, annual arithmetic mean	1
PM 2.5, 24-hour maximum	2
Sulfur dioxide:	
Annual arithmetic mean	2
24-hour maximum	5
3-hour maximum	25
Nitrogen dioxide:	
Annual arithmetic mean	2.5
<b>CLASS II</b>	
Particulate matter:	
PM-10, annual arithmetic mean	17
PM-10, 24-hour maximum	30
PM 2.5, annual arithmetic mean	4
PM 2.5, 24-hour maximum	9
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	512
Nitrogen dioxide:	
Annual arithmetic mean	25
<b>CLASS III</b>	

**Annual Administrative Code Supplement**  
2012 Edition

Pollutant	Maximum Allowable Increase (micrograms per cubic meter)
<b>CLASS I</b>	
Particulate matter:	
PM-10, annual arithmetic mean	34
PM-10, 24-hour maximum	60
PM 2.5, annual arithmetic mean	8
PM 2.5, 24-hour maximum	18
Sulfur dioxide:	
Annual arithmetic mean	40
24-hour maximum	182
3-hour maximum	700
Nitrogen dioxide:	
Annual arithmetic mean	50

For any period other than an annual period, the applicable maximum allowable increase may be exceeded during 1 period per year at any 1 location.

History: 2006 AACs; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2804**

Source: 2006 AACs.

**R 336.2805**

Source: 2006 AACs.

**R 336.2806**

Source: 2006 AACs.

**R 336.2807**

Source: 2006 AACs.

**R 336.2808**

Source: 2006 AACs.

**R 336.2809 Exemptions.**

Rule 1809. (1) The requirements of R 336.2810 to R 336.2818 do not apply to a particular major stationary source or major modification if either of the following occurs:

(a) The major stationary source would be a nonprofit health or nonprofit educational institution or a major modification that would occur at such an institution.

(b) The source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source is not required to include fugitives in its potential to emit under R 336.2801(cc)(v).

(c) The source or modification is a portable stationary source which has previously received a permit under R 336.2810 to R 336.2818, if all of the following occur:

(i) The source proposes to relocate and emissions of the source at the new location would be temporary.

(ii) The emissions from the source would not exceed its allowable emissions.

(iii) The emissions from the source would not impact a class I area or an area where an applicable increment is known to be violated.

(iv) Reasonable notice is given to the department before the relocation identifying the proposed new location and the probable duration of operation at the new location. Notice shall be given to the department not less than 10 days in advance of the proposed relocation unless a different time duration is previously approved by the department.

(2) The requirements of R 336.2810 to R 336.2818 do not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is subject to new source review for major sources in nonattainment areas regulations.

**Annual Administrative Code Supplement**  
**2012 Edition**

(3) The requirements of R 336.2811, R 336.2813, and R 336.2815 do not apply to a proposed major stationary source or major modification with respect to a particular pollutant, if the allowable emissions of that pollutant from a new source, or the net emissions increase of that pollutant from a modification, would be temporary and would not impact a class I area or an area where an applicable increment is known to be violated.

(4) The requirements of R 336.2811, R 336.2813, and R 336.2815, as they relate to any maximum allowable increase for a class II area, do not apply to a modification of a major stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each regulated new source review pollutant from the modification after the application of best available control technology would be less than 50 tons per year.

(5) The department may exempt a proposed major stationary source or major modification from R 336.2813, with respect to monitoring for a particular pollutant, if any of the following occur:

(a) The emissions increase of the pollutant from a new stationary source or the net emissions increase of the pollutant from a modification would cause, in any area, air quality impacts less than the following amounts:

(i) Carbon monoxide -- 575 micrograms per cubic meter, 8-hour average.  
(ii) Nitrogen dioxide -- 14 micrograms per cubic meter, annual average.  
(iii) Particulate matter -- 10 micrograms per cubic meter of PM-10, 24-hour average. 4 micrograms per cubic meter of PM 2.5, 24-hour average.

(iv) Sulfur dioxide -- 13 micrograms per cubic meter, 24-hour average.

(v) Ozone -- There is no de minimis air quality level for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds or oxides of nitrogen subject to PSD would be required to perform an ambient impact analysis, including the gathering of ambient air quality data.

(vi) Lead -- 0.1 micrograms per cubic meter, 3-month average.

(vii) Fluorides -- 0.25 micrograms per cubic meter, 24-hour average.

(viii) Total reduced sulfur -- 10 micrograms per cubic meter, 1-hour average.

(ix) Hydrogen sulfide -- 0.2 micrograms per cubic meter, 1-hour average.

(x) Reduced sulfur compounds -- 10 micrograms per cubic meter, 1-hour average.

(b) The concentrations of the pollutant in the area that the source or modification would affect are less than the concentrations listed in subdivision (a) of this subrule.

(c) The pollutant is not listed in subdivision (a) of this subrule.

History: 2006 AACs; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2810**

Source: 2006 AACs.

**R 336.2811**

Source: 2006 AACs.

**R 336.2812**

Source: 2006 AACs.

**R 336.2813**

Source: 2006 AACs.

**R 336.2814**

Source: 2006 AACs.

**R 336.2815**

Source: 2006 AACs.

**R 336.2816 Sources impacting federal class I areas; additional requirements.**

Rule 1816. (1) The department shall transmit to the United States environmental protection agency a copy of each permit application relating to a major stationary source or major modification and provide notice to the United States environmental protection agency of every action related to the consideration of the permit.

(2) If an applicant submits a permit application to the department for a proposed major stationary source or major modification that affects a federal class I area, the applicant must submit to the department and the federal land manager charged with direct responsibility for management of class I lands a demonstration of the impact the emissions from the proposed source or modification would have on the air quality related values of class I lands, including visibility. The department shall be available to consult with and provide additional information to the federal land manager during the

**Annual Administrative Code Supplement**  
**2012 Edition**

federal land manager's review of the demonstration submitted by the applicant, if necessary, to complete the review of the demonstration.

(3) If the federal land manager's review of the applicant's demonstration results in a finding that the emissions from the proposed major source or major modification would have an adverse impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would not cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area, and if the department concurs with such finding, then the department shall not approve the permit application.

(4) If the department determines that the emissions from a proposed major source or major modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a class I area, the department shall not approve a permit application unless the applicable requirements of Michigan's state implementation plan are otherwise met and 1 of the following occurs:

(a) The applicant submits a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area. The department may then, provided that applicable requirements are otherwise met, issue the permit with emission limitations to assure that emissions of sulfur dioxide, particulate matter, and oxides of nitrogen would not exceed the following maximum allowable increases over minor source baseline concentration for the pollutants:

**Table 183**

Maximum allowable increases over minor source baseline concentrations

Pollutant	Maximum Allowable Increase (micrograms per cubic meter)
Particulate matter:	
PM-10, annual arithmetic mean	17
PM-10, 24-hour maximum	30
PM 2.5, annual arithmetic mean	4
PM 2.5, 24-hour maximum	9
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	325
Nitrogen dioxide:	
Annual arithmetic mean	25

(b) If the department cannot approve the permit application under R 336.2816(4)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in table 183 for periods of 24 hours or less, the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including visibility, and that both the governor and the federal land manager have granted a sulfur dioxide variance for the federal class I area on which variance the public has received notice and opportunity for public hearing.

(c) If the department cannot approve the permit application under R 336.2816(4)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in table 183 for periods of 24 hours or less, and the department cannot approve the permit application under R 336.2816(4)(b) because the federal land manager does not concur with the governor's issuance of a sulfur dioxide variance that is otherwise consistent with R 336.2816(4)(b), the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the president that a sulfur dioxide variance is in the national interest and the president concurs with the issuance of the sulfur dioxide variance by the governor. The applicant shall transfer the recommendations of the governor and the federal land manager to the president in any case where the governor recommends a variance in which the federal land manager does not concur.

(5) The department will not issue a permit affecting a class I area in which a sulfur dioxide variance was granted under R 336.2816(4)(b) or (c), unless the permit includes emission limitations necessary to assure that emissions of sulfur dioxide

**Annual Administrative Code Supplement**  
**2012 Edition**

from the major source or major modification would not, during any day on which the otherwise applicable maximum allowable increases are exceeded, cause or contribute to concentrations which would exceed the following maximum allowable increases over the baseline concentration and to assure that emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of 24 hours or less for more than 18 days, not necessarily consecutive, during any annual period.

**Table 184**

Maximum Allowable Sulfur Dioxide Increments

Period Of Exposure	Maximum Allowable Increase (Micrograms Per Cubic Meter)	
	Terrain Areas	
	Low	High
24-hour maximum	36	62
3-hour maximum	130	221

History: 2006 AACS; 2008 AACS; 2011 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2817**

Source: 2006 AACS.

**R 336.2818**

Source: 2008 AACS.

**R 336.2819**

Source: 2006 AACS.

**R 336.2823**

Source: 2006 AACS.

**R 336.2830 Rescinded.**

History: 2006 AACS; rescinded 2011 MR 12, Eff. June 29, 2011.

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**AIR QUALITY DIVISION**

**PART 19. NEW SOURCE REVIEW FOR MAJOR SOURCES IMPACTING NONATTAINMENT AREAS**

**R 336.2901 Definitions.**

Rule 1901. The following definitions apply to terms used in this part. If a term defined here is also defined elsewhere in these rules, then the definition contained here supersedes for this part only:

(a) "Actual emissions" means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2907. Instead, the terms "projected actual emissions" and "baseline actual emissions" shall apply for those purposes.

(b) "Baseline actual emissions" means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following:

(i) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period upon a determination that it is more representative of normal source operation. The following shall apply:

**Annual Administrative Code Supplement**  
**2012 Edition**

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, when a project involves multiple emissions units, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the department for a permit required under R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following shall apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had the major stationary source been required to comply with the limitations during the consecutive 24-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the department has taken credit for such emissions reductions in an attainment demonstration or maintenance plan. Title 40 C.F.R. Part 63 is adopted by reference in R 336.2901a.

(D) For a regulated new source review pollutant, when a project involves multiple emissions units, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plant wide applicability limit for a major stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. "A change in method of operation" refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(d) "Best available control technology" or "BACT" means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant which would be emitted from any proposed major stationary source or major modification which the department, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. part 60 or 61, adopted by reference in R 336.2901a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. The standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or

**Annual Administrative Code Supplement**  
**2012 Edition**

operation, and shall provide for compliance by means which achieve equivalent results.

(e) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-digit major group code associated with their primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. For assistance in converting North American industrial classification system codes to standard industrial classification codes see <http://www.census.gov/epcd/naics02/>.

(f) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

(g) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "department of energy-clean coal technology," up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the United States environmental protection agency. The federal contribution for a qualifying project shall be at least 20% of the total cost of the demonstration project.

(h) [Reserved]

(i) "Commence" as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and has either of the following:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(j) "Construction" means any physical change or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

(k) "Continuous emissions monitoring system" or "CEMS" means all of the equipment that may be required to meet the data acquisition and availability requirements of this rule, to sample, condition, if applicable, analyze, and provide a record of emissions on a continuous basis.

(l) "Continuous emissions rate monitoring system" or "CERMS" means the total equipment required for the determination and recording of the pollutant mass emissions rate, in terms of mass per unit of time.

(m) "Continuous parameter monitoring system" or "CPMS" means all of the equipment necessary to meet the data acquisition and availability requirements of this rule, to monitor process and control device operational parameters and other information, and to record average operational parameter values on a continuous basis.

(n) "Electric utility steam generating unit" means any steam electric generating unit that is constructed for the purpose of supplying more than 1/3 of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(o) "Emissions unit" means any part of a stationary source that emits or would have the potential to emit any regulated new source review pollutant. The term emissions unit includes an electric steam generating unit. Each emissions unit can be classified as either new or existing based on the following:

(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. Replacement unit means all of the following:

(A) The emissions unit is a reconstructed unit as defined within R 336.1118(b) or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

(D) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(p) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

**Annual Administrative Code Supplement**  
**2012 Edition**

(q) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

(r) "Lowest achievable emission rate" or "LAER" means, for any source, the more stringent rate of emissions based on either of the following:

(i) The most stringent emissions limitation that is contained in the implementation plan of any state for the same class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that the limitations are not achievable.

(ii) The most stringent emissions limitation that is achieved in practice by the same class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within a stationary source. Application of the term shall not permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source performance standard.

(s) "Major modification" means the following:

(i) Any physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions increase of that pollutant from the major stationary source.

(ii) Any significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the energy supply and environmental coordination act of 1974, 15 U.S.C. §792 et seq., or any superseding legislation, or by reason of a natural gas curtailment plan under the federal power act of 1995, 16 U.S.C. §791-828c et seq.

(C) Use of an alternative fuel by reason of an order or rule under section 125 of the clean air act.

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) Use of an alternative fuel or raw material by a stationary source which meets either of the following:

(1) The source was capable of accommodating before December 21, 1976, unless the change would be prohibited under any federally enforceable permit condition that was established after December 12, 1976, under prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations.

(2) The source is approved to use under any permit issued under R 336.1201(1)(a).

(F) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition that was established after December 21, 1976, under R 336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with both of the following:

(1) The state implementation plan.

(2) Other requirements necessary to attain and maintain the national ambient air quality standard during the project and after it is terminated.

(iv) This definition shall not apply with respect to a particular regulated new source review pollutant when the major stationary source is complying with the requirements of R 336.2907 for a plantwide applicability limit for that pollutant. Instead, the definition in R 336.2907(1)(h) shall apply.

(v) For the purposes of applying the requirements of R 336.2902(8) to modifications at major stationary sources of nitrogen oxides located in ozone nonattainment areas or in ozone transport regions, whether or not subject to subpart 2, part D, title 1 of the clean air act, any significant net emissions increase of nitrogen oxides is considered significant for ozone.

(vi) Any physical change in, or change in the method of operation of, a major stationary source of volatile organic compounds that results in any increase in emissions of volatile organic compounds from any discrete operation, emissions unit, or other pollutant emitting activity at the source shall be considered a significant net emissions increase and a major modification for ozone, if the major stationary source is located in an extreme ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act.

(t) "Major stationary source" means all of the following:

(i) Any of the following:

(A) Any stationary source of air pollutants that emits or has the potential to emit 100 tons per year or more of any regulated

**Annual Administrative Code Supplement**  
**2012 Edition**

new source review pollutant, except that lower emissions thresholds shall apply in areas subject to subpart 2, subpart 3, or subpart 4 of part D, title 1 of the clean air act, according to the following:

- (1) In any serious ozone nonattainment area, 50 tons per year of volatile organic compounds.
- (2) In an area within an ozone transport region except for any severe or extreme ozone nonattainment area, 50 tons per year of volatile organic compounds.
- (3) In any severe ozone nonattainment area, 25 tons per year of volatile organic compounds.
- (4) In any extreme ozone nonattainment area, 10 tons per year of volatile organic compounds.
- (5) In any serious nonattainment area for carbon monoxide, where the department has determined that stationary sources contribute significantly to carbon monoxide levels in the area, 50 tons per year of carbon monoxide.
- (6) In any serious nonattainment area for PM-10, 70 tons per year of PM-10.
- (B) For the purposes of applying the requirements of R 336.2902(8) to stationary sources of nitrogen oxides located in an ozone nonattainment area or in an ozone transport region, any stationary source which emits, or has the potential to emit, 100 tons per year or more of nitrogen oxide emissions, except that the following emission thresholds shall apply in areas subject to subpart 2 of part D, title 1 of the clean air act:
  - (1) In any ozone nonattainment area classified as marginal or moderate, 100 tons per year or more of nitrogen oxides.
  - (2) In any ozone nonattainment area classified as a transitional, submarginal, or incomplete or no data area, when such area is located in an ozone transport region, 100 tons per year or more of nitrogen oxides.
  - (3) In any area designated under section 107(d) of the clean air act as attainment or unclassifiable for ozone that is located in an ozone transport region, 100 tons per year or more of nitrogen oxides.
  - (4) In any serious nonattainment area for ozone, 50 tons per year or more of nitrogen oxides.
  - (5) In any severe nonattainment area for ozone, 25 tons per year or more of nitrogen oxides.
  - (6) In any extreme nonattainment area for ozone, 10 tons per year or more of nitrogen oxides.
- (C) Any physical change that would occur at a stationary source not qualifying under R 336.2901(t)(i)(A) or (B) as a major stationary source, if the change would constitute a major stationary source by itself.
  - (ii) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.
  - (iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this paragraph whether it is a major stationary source, unless the source belongs to 1 of the following categories of stationary sources:
    - (A) Coal cleaning plants, with thermal dryers.
    - (B) Kraft pulp mills.
    - (C) Portland cement plants.
    - (D) Primary zinc smelters.
    - (E) Iron and steel mills.
    - (F) Primary aluminum ore reduction plants.
    - (G) Primary copper smelters.
    - (H) Municipal incinerators capable of charging more than 250 tons of refuse per day.
    - (I) Hydrofluoric, sulfuric, or nitric acid plants.
    - (J) Petroleum refineries.
    - (K) Lime plants.
    - (L) Phosphate rock processing plants.
    - (M) Coke oven batteries.
    - (N) Sulfur recovery plants.
    - (O) Carbon black plants, furnace process.
    - (P) Primary lead smelters.
    - (Q) Fuel conversion plants.
    - (R) Sintering plants.
    - (S) Secondary metal production plants.
    - (T) Chemical process plants. The term chemical process plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industrial Classification System codes 325193 or 312140.
    - (U) Fossil-fuel boilers, or combination thereof, totaling more than 250 million British thermal units per hour heat input.
    - (V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
    - (W) Taconite ore processing plants.
    - (X) Glass fiber processing plants.
    - (Y) Charcoal production plants.
    - (Z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.

**Annual Administrative Code Supplement**  
**2012 Edition**

(AA) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the clean air act.

(u) “Necessary preconstruction approvals or permits” mean a permit issued under R 336.1201(1)(a) that is required by R 336.2802 or R 336.2902.

(v) “Net emissions increase” means all of the following:

(i) With respect to any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:

(A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2902(2).

(B) Any other increases and decreases in actual emissions at the major stationary source that occur within the contemporaneous period and are otherwise creditable. with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases shall be determined as provided in the definition of baseline actual emissions, except that subdivisions (b)(i)(C) and (b)(ii)(D) of this rule shall not apply.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs before the date that the increase from the particular change occurs. The contemporaneous period must meet all of the following:

(A) Begins on the date 5 years before construction on the particular change commences.

(B) Ends on the date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if all of the following occur: An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.

(A) It occurs within a 5-year period.

(B) The department has not relied on it in previously issuing a permit for the source under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level. The magnitude of a creditable, contemporaneous increase in actual emissions is determined by the amount that the new level of actual allowable emissions following the increase exceeds the emissions unit’s baseline actual emissions prior to the increase. This means actual allowable emissions and baseline actual emissions are determined from the date of the contemporaneous increase. Baseline actual emissions shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this subdivision shall not apply.

(v) A contemporaneous decrease in actual emissions is creditable only to the extent that all of the following occur:

(A) The old level of actual emission or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions. The magnitude of a creditable contemporaneous decrease is determined by the lower of the following:

(1) The amount by which the emission unit’s baseline emissions prior to the decrease exceed the level of actual allowable emissions following the decrease.

(2) The amount by which the emission unit’s allowable emissions prior to the decrease exceed the level of actual allowable emissions following the decrease.

(3) In determining the magnitude of a creditable contemporaneous decrease, actual allowable emissions and baseline actual emissions are determined from the date of the contemporaneous decrease. Baseline actual emissions shall be determined as provided in the definition of baseline actual emissions except that paragraphs (b)(i)(C) and (b)(ii)(D) of this subdivision shall not apply.

(B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.

(C) The department has not relied on it in issuing any permit under R 336.1201(1)(a) or R 336.1214a.

(D) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(vii) The definition of actual emissions in R 336.1101(b) shall not apply for determining creditable increases and decreases after a change, instead the definitions of the terms “projected actual emissions” and “baseline emissions” shall be used.

(w) “Nonattainment major new source review” or “NSR” program means the requirements of this rule, R 336.1220, or R 336.1221. A permit issued under any of these rules is a major new source review permit.

(x) [Reserved]

**Annual Administrative Code Supplement**  
**2012 Edition**

(y) [Reserved]

(z) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally legally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(aa) "Predictive emissions monitoring system" or "PEMS" means all of the equipment necessary to monitor process and control device operational parameters and other information and calculate and record the mass emissions rate on a continuous basis.

(bb) "Prevention of significant deterioration" or "PSD" permit means any permit that is issued under R 336.2802 or the prevention of significant deterioration of air quality regulations or under 40 C.F.R. §52.21, adopted by reference in R 336.2901a.

(cc) "Project" means a physical change in, or change in the method of operation of, an existing major stationary source.

(dd) "Projected actual emissions" means the following:

(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 12-month periods following the date the unit resumes regular operation after the project, or in any 1 of the 10 12-month periods following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit of that regulated new source review pollutant and full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

(ii) In determining the projected actual emissions before beginning actual construction, the owner or operator of the major stationary source shall do the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the approved state implementation plan.

(B) Include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions of this rule and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(D) Elect to use the emissions unit's potential to emit in tons per year instead of calculating projected actual emissions.

(ee) "Regulated new source review pollutant" means any of the following:

(i) Nitrogen oxides of nitrogen or any volatile organic compounds.

(ii) Any pollutant for which a national ambient air quality standard has been promulgated. Ozone, sulfur dioxide, oxides of nitrogen, PM-10, PM 2.5, lead, and carbon monoxide.

(iii) Any pollutant that is a constituent or precursor of a general pollutant listed under paragraphs (i) or (ii) of this subdivision, provided that a constituent or precursor pollutant may only be regulated under new source review as part of regulation of the general pollutant.

(ff) "Secondary emissions" means emissions that would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any off-site support facility that would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions that come directly from a mobile source such as emissions from the tailpipe of a motor vehicle, from a train, or a vessel.

(gg) "Significant" means all of the following:

(i) "Significant" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants at a rate of emissions that would equal or exceed any of the following pollutant emission rates:

(A) Carbon monoxide: 100 tons per year.

(B) Nitrogen oxides: 40 tons per year.

**Annual Administrative Code Supplement**  
**2012 Edition**

(C) Sulfur dioxide: 40 tons per year.

(D) Ozone: 40 tons per year of volatile organic compounds or of nitrogen oxides.

(E) Lead: 0.6 tons per year.

(F) PM-10: 15 tons per year of PM-10.

(G) PM 2.5: 10 tons per year of PM 2.5; 40 tons per year of sulfur dioxide emissions; 40 tons per year of nitrogen oxide emissions.

(ii) Notwithstanding the significant emissions rate for ozone in R 336.2901(gg)(i)(D), significant means, in reference to an emissions increase or a net emissions increase, any increase in actual emissions of volatile organic compounds that would result from any physical change in, or change in the method of operation of, a major stationary source located in a serious or severe ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act, if such emissions increase of volatile organic compounds exceeds 25 tons per year.

(iii) For the purposes of applying the requirements of R 336.2902(8) to modifications at major stationary sources of nitrogen oxides located in an ozone nonattainment area or in an ozone transport region, the significant emission rates and other requirements for volatile organic compounds in R 336.2901(gg)(i)(D), R 336.2901(gg)(ii) and R 336.2901(gg)(v) shall apply to nitrogen oxides emissions.

(iv) Notwithstanding the significant emissions rate for carbon monoxide in R 336.2901(gg)(i)(A), significant means, in reference to an emissions increase or a net emissions increase, any increase in actual emissions of carbon monoxide that would result from any physical change in, or change in the method of operation of, a major stationary source in a serious nonattainment area for carbon monoxide if such increase equals or exceeds 50 tons per year, provided that the United States environmental protection agency has determined that the stationary sources contribute significantly to carbon monoxide levels in that area.

(v) Notwithstanding the significant emissions rates for ozone in R 336.2901(gg)(i)(D) and R 336.2901(gg)(ii), any increase in actual emissions of volatile organic compounds from any emissions unit at a major stationary source of volatile organic compounds located in an extreme ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act shall be considered a significant net emissions increase.

(hh) "Significant emissions increase" means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.

(ii) "Stationary source" means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.

(jj) "Temporary clean coal technology demonstration project" means a clean coal technology demonstration project that is operated for a period of 5 years or less, and that complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

History: 2008 AACS; 2011 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2901a**

**Source:** 2008 AACS.

**R 336.2902**

**Source:** 2008 AACS.

**R 336.2903 Additional permit requirements for sources impacting nonattainment areas.**

Rule 1903. (1) No new major stationary source or major modification shall be constructed in an area designated as attainment or unclassifiable for any national ambient air quality standard under section 107 of the clean air act, without first applying for a permit to install under R 336.1201(1)(a). The department shall not approve any permit to install that would cause or contribute to a violation of any national ambient air quality standard.

(2) A major source or major modification shall be considered to cause or contribute to a violation of a national ambient air quality standard when the source or modification would, at a minimum, exceed the following significance levels in table 191 at any locality that does not or would not meet the applicable national standard:

**Annual Administrative Code Supplement**  
2012 Edition

**TABLE 191**  
Significance Levels

Pollutant	Averaging Time				
	Annual	24 hours	8 hours	3 hours	1 hour
Sulfur dioxide	1.0 ug/m <sup>3</sup>	5 ug/m <sup>3</sup>		25 ug/m <sup>3</sup>	
PM-10	1.0 ug/m <sup>3</sup>	5 ug/m <sup>3</sup>			
PM 2.5	0.3 ug/m <sup>3</sup>	1.2 ug/m <sup>3</sup>			
Nitrogen dioxide	1.0 ug/m <sup>3</sup>				
Carbon Monoxide			500 ug/m <sup>3</sup>		2000 ug/m <sup>3</sup>

(3) The owner of a major stationary source or major modification subject to this rule may reduce the impact of its emissions upon air quality by obtaining sufficient emission reductions to, at a minimum, compensate for its adverse ambient impact where the major source or major modification would otherwise cause or contribute to a violation of any national ambient air quality standard. In the absence of such emission reductions, the department shall deny the proposed construction.

(4) This rule shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in a nonattainment area.

History: 2008 AACs; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2907**

Source: 2008 AACs.

**R 336.2908 Conditions for approval of a major new source review permit in a nonattainment area.**

Rule 1908. (1) The department may only issue a permit approving the construction of a new major stationary source or major modification in a nonattainment area if the department has determined that the owner or operator of the major stationary source or major modification will comply with all of the provisions of this rule.

(2) The owner or operator of the proposed major stationary source or major modification shall provide an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed major stationary source or major modification which demonstrates that the benefits of the proposed major stationary source or major modification significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

(3) The major stationary source or major modification shall comply with the lowest achievable emissions rate for each regulated new source review pollutant for which the area is designated as nonattainment.

(4) All stationary sources which have a potential to emit 100 or more tons per year of any air contaminant regulated under the clean air act, which are located in the state, and which are owned or controlled by the owner, operator, or an entity controlling, controlled by, or under common control with, the owner or operator of the proposed major stationary source or major modification shall be in compliance with all applicable local, state, and federal air quality regulations or and shall be in compliance with a legally enforceable permit condition or order of the department specifying a plan and timetable for compliance.

(5) Before the start-up of the new major stationary source or major modification, an emission reduction offset for each major nonattainment air contaminant shall be provided consistent with the following provisions:

(a) The baseline for determining credit for emissions reductions is the emissions limit under the state implementation plan in effect at the time the application to construct is filed, except that the offset baseline shall be the actual emissions of the source from which offset credit is obtained where either of the following occurs:

(i) The demonstration of reasonable further progress and attainment of ambient air quality standards is based upon the actual emissions of sources located within the nonattainment area.

(ii) The state implementation plan does not contain an emissions limitation for that source or source category.

(b) The following requirements apply to emissions offset credits:

(i) Where the allowable emissions are greater emissions than the potential to emit of the source, emissions offset credit shall be allowed only for control below this potential.

(ii) For an existing fuel combustion source, credit shall be based on the source's allowable emissions for the type of fuel being burned at the time the application to construct is filed. If the existing source commits to switch to a cleaner fuel at some future date, then emissions offset credit based on the allowable, or actual, emissions for the fuels involved is not acceptable, unless the permit is conditioned to require the use of a specified alternative control measure which would achieve the same degree of emissions reduction should the source switch back to a dirtier fuel at some later date. The department shall ensure that adequate long-term supplies of the new fuel are available before granting emissions offset credit for fuel switches.

**Annual Administrative Code Supplement**  
**2012 Edition**

- (c) An emission reduction credit shall not be creditable as an emission offset unless it meets the following requirements:
- (i) Emissions reductions that have been achieved by shutting down an existing emission unit or curtailing production or operating hours may be generally credited for offsets only if they meet all of the following requirements:
- (A) The reductions are surplus, permanent, quantifiable and federally enforceable.
- (B) The shutdown or curtailment occurred after the last day of the base year for the SIP planning process. The department may choose to consider a prior shutdown or curtailment to have occurred after the last day of the base year if the projected emissions inventory used to develop the attainment demonstration explicitly includes emissions from such previously shutdown or curtailed emission units. However, credit shall not be given for shutdowns that occurred before August 7, 1977.
- (ii) Emissions reductions that are achieved by shutting down an existing emissions unit or curtailing production or operating hours and that do not meet the requirements of R 336.2908(5)(c)(i)(A)(B) may be generally credited only if they meet either of the following:
- (A) The shutdown or curtailment occurred on or after the date the construction permit application is filed.
- (B) The applicant can establish that the proposed new emissions unit is a replacement for the shutdown or curtailed emissions unit, and the emissions reductions are surplus, permanent, quantifiable and federally enforceable.
- (d) Emissions credit shall not be allowed for replacing 1 hydrocarbon compound with another of lesser reactivity, except for those compounds listed in table 1 of the United States environmental protection agency's "Recommended Policy on Control of Volatile Organic Compounds," 42 FR 35314, July 8, 1977, adopted by reference in R 336.2901a.
- (e) All emission reductions claimed as offset credit shall be federally enforceable.
- (f) Offsets shall be obtained from the same nonattainment area as the proposed major source or major modification, except another nonattainment area may be used if both of the following conditions are met:
- (i) The other area has an equal or higher nonattainment classification than the area in which the proposed source is located.
- (ii) Nonattainment air contaminant emissions from the other area contribute to a violation of a national ambient air quality standard in the nonattainment area in which the proposed major source or major modification would be located.
- (g) Credit for an emissions reduction may be claimed to the extent that the reviewing authority has not relied on it in issuing any permit required by R 336.1220 or R 336.2902 and the department has not relied on it in demonstrating attainment or reasonable further progress.
- (h) The total tonnage of increased emissions, in tons per year, resulting from a major modification that must be offset shall be determined by summing the difference between the allowable emissions after the modification and the actual emissions before the modification for each emissions unit. Unless specified otherwise in this rule, the offset ratio for each nonattainment air pollutant that will be emitted in significant amounts from a new major source or major modification located in a nonattainment area that is subject to subpart 1, part D, title 1 of the clean air act shall be at least 1:1.
- (i) The provisions of this subrule do not apply to emissions resulting from proposed major sources or major modifications to the extent that the emissions are temporary and will not prevent reasonable further progress towards attainment of any applicable standard. Examples of temporary emissions include emissions from all of the following:
- (i) Pilot plants.
- (ii) Portable facilities which will be relocated outside the nonattainment area within 18 months.
- (iii) The construction phase of a new major stationary source or major modification.
- (6) For facilities meeting the emissions offset requirements of R 336.2908(5) for ozone nonattainment areas that are subject to subpart 2, part D, title 1 of the clean air act, the facility must meet the following requirements:
- (a) The ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be as follows:
- (i) In any marginal nonattainment area for ozone, the ratio shall be 1.1:1.
- (ii) In any moderate nonattainment area for ozone, the ratio shall be 1.15:1.
- (iii) In any serious nonattainment area for ozone, the ratio shall be 1.2:1.
- (iv) In any severe nonattainment area for ozone, the ratio shall be 1.3:1, except that the ratio may be 1.2:1 if all existing major sources in the severe nonattainment area use BACT for the control of VOC.
- (v) In any extreme nonattainment area for ozone, the ratio shall be 1.5:1, except that the ratio may be 1.2:1 if all existing major sources in the extreme nonattainment area use BACT for the control of VOC.
- (b) Notwithstanding the requirements of R 336.2908(6)(a) for meeting the requirements of R 336.2908(5), the ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be 1.15:1 for all areas within an ozone transport region that is subject to subpart 2, part D, title 1 of the clean air act except for serious, severe, and extreme ozone nonattainment areas that are subject to subpart 2, part D, title 1 of the clean air act.
- (c) For each facility meeting the emissions offset requirements of R 336.2908(5) for ozone nonattainment areas that are subject to subpart 1, part D, title 1 of the clean air act but are not subject to subpart 2, part D, title 1 of the clean air act, including 8-hour ozone nonattainment areas subject to 40 C.F.R. 51.902(b), the ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be 1:1. Title 40 C.F.R. 51.902(b) is adopted by reference in R 336.2901a.

**Annual Administrative Code Supplement**  
**2012 Edition**

(7) The requirements of this section that apply to major stationary sources and major modifications of PM-10 and PM 2.5 shall also apply to major stationary sources and major modifications of PM-10 and PM 2.5 precursors, except when the department determines that such sources do not contribute significantly to PM-10 and PM 2.5 levels that exceed the PM-10 and PM 2.5 ambient standards in the area.

History: 2008 AACS; 2012 MR 22, Eff. Nov. 30, 2012.

**R 336.2910**

Source: 2011 AACS.

**DEPARTMENT OF COMMUNITY HEALTH**

**DIRECTOR'S OFFICE**

**AUDIOLOGIST - GENERAL RULES**

**R 338.1**

Source: 2005 AACS.

**R 338.2**

Source: 2005 AACS.

**R 338.3**

Source: 2005 AACS.

**R 338.4**

Source: 2005 AACS.

**R 338.5**

Source: 2005 AACS.

**R 338.6**

Source: 2005 AACS.

**R 338.7**

Source: 2005 AACS.

**R 338.8**

Source: 2005 AACS.

**R 338.9**

Source: 2005 AACS.

**R 338.10**

Source: 2005 AACS.

**R 338.11**

Source: 2005 AACS.

**R 338.12**

Source: 2005 AACS.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**DIRECTOR'S OFFICE**

**DECLARATORY RULINGS**

**R 338.81**

Source: 2001 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**  
**DIRECTOR'S OFFICE**  
**OSTEOPATHIC MEDICINE AND SURGERY—CONTINUING EDUCATION**

**R 338.91**  
Source: 1991 AACS.

**R 338.92**  
Source: 1991 AACS.

**R 338.93**  
Source: 1991 AACS.

**R 338.94**  
Source: 1991 AACS.

**R 338.95**  
Source: 1991 AACS.

**R 338.96**  
Source: 1991 AACS.

**R 338.97**  
Source: 1991 AACS.

**R 338.98**  
Source: 1991 AACS.

**R 338.99**  
Source: 1991 AACS.

**OSTEOPATHIC MEDICINE AND SURGERY**

**PART 1. GENERAL PROVISIONS**

**R 338.101 Definitions.**

Rule 1. As used in these rules:

(a) "Board" means the board of osteopathic medicine and surgery.

(b) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.

(c) "Department" means the department of licensing and regulatory affairs.

History: 1944 ACS 16; 1954 AC; 1954 ACS 14, Eff. May 14, 1958; 1954 ACS 67, Eff. May 1, 1971; 1954 ACS 88, Eff. July 20, 1976; 1979 AC; 1989 MR 4, Eff. May 13, 1989; 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.102**  
Source: 1991 AACS.

**R 338.103**  
Source: 1991 AACS.

**R 338.105**  
Source: 1991 AACS.

**R 338.106**  
Source: 1989 AACS.

**R 338.107**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1989 AACS.

**R 338.107a**

**Source:** 1989 AACS.

**R 338.108**

**Source:** 1985 AACS.

**R 338.108a Delegation to physician's assistants; written authorization; requirements.**

Rule 8a. (1) A physician who supervises a physician's assistant under sections 17548 and 17549 of the code shall establish a written authorization that delegates to a physician's assistant the performance of medical care services or the prescribing of schedule 2 to 5 controlled substances, or both. The written authorization shall contain all of the following information:

- (a) The name, license number, and signature of the supervising physician.
- (b) The name, license number, and signature of the physician's assistant.
- (c) The limitations or exceptions to the delegation of any medical care services or prescription of schedule 2 to 5 controlled substances.
- (d) The effective date of the delegation.
- (2) A delegating physician shall review and update a written authorization prior to the renewal of a physician's assistant's license or in the interim as needed. A delegating physician shall note the review date on the written authorization.
- (3) A delegating physician shall maintain a written authorization in each separate location of the physician's office where the delegation occurs.
- (4) A delegating physician shall ensure that an amendment to the written authorization is in compliance with subrule (1)(a) to (d) of this rule.
- (5) A delegating physician shall not delegate the prescription of a drug or device individually, in combination, or in succession for a woman known to be pregnant with the intention of causing either a miscarriage or fetal death.

History: 1999 MR 11, Eff. Nov. 17, 1999; 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.108b**

**Source:** 1998-2000 AACS.

**R 338.109a**

**Source:** 1990 AACS.

**PART 2. ADMINISTRATIVE HEARINGS**

**R 338.110**

**Source:** 1997 AACS.

**R 338.111**

**Source:** 1997 AACS.

**R 338.112**

**Source:** 1997 AACS.

**R 338.113**

**Source:** 1997 AACS.

**R 338.114**

**Source:** 1997 AACS.

**R 338.115**

**Source:** 1997 AACS.

**R 338.116**

**Source:** 1997 AACS.

**R 338.117**

**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.118**  
Source: 1997 AACS.

**R 338.119**  
Source: 1997 AACS.

**R 338.120**  
Source: 1997 AACS.

**R 338.121**  
Source: 1997 AACS.

**R 338.122**  
Source: 1997 AACS.

**R 338.123**  
Source: 1997 AACS.

**R 338.124**  
Source: 1997 AACS.

**R 338.125**  
Source: 1997 AACS.

**R 338.126**  
Source: 1997 AACS.

**R 338.127**  
Source: 1997 AACS.

**R 338.128**  
Source: 1997 AACS.

**R 338.129**  
Source: 1997 AACS.

**R 338.130**  
Source: 1997 AACS.

**R 338.131**  
Source: 1997 AACS.

**R 338.132**  
Source: 1997 AACS.

**R 338.133**  
Source: 1997 AACS.

**R 338.134**  
Source: 1997 AACS.

**OPTOMETRY—PUBLIC PARTICIPATION AT OPEN BOARD MEETINGS**

**R 338.241**  
Source: 2010 AACS.

**R 338.251**  
Source: 2010 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.252**  
Source: 2010 AACCS.

**R 338.253**  
Source: 2010 AACCS.

**R 338.254**  
Source: 2010 AACCS.

**R 338.255**  
Source: 2010 AACCS.

**R 338.256**  
Source: 1998-2000 AACCS.

**R 338.256a**  
Source: 1998-2000 AACCS.

**R 338.256b**  
Source: 2010 AACCS.

**R 338.257**  
Source: 2010 AACCS.

**R 338.258**  
Source: 2010 AACCS.

**R 338.259**  
Source: 2010 AACCS.

**R338.260**  
Source: 1997 AACCS.

**R 338.261**  
Source: 2010 AACCS.

**R 338.262**  
Source: 1997 AACCS.

**R 338.263**  
Source: 1998-2000 AACCS.

**R 338.264**  
Source: 1997 AACCS.

**R 338.265**  
Source: 1998-2000 AACCS.

**R 338.266**  
Source: 1997 AACCS.

**R 338.267**  
Source: 1998-2000 AACCS.

**R 338.268**  
Source: 1997 AACCS.

**R 338.269**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1998-2000 AACS.

**R 338.270**

**Source:** 2010 AACS.

**R 338.271**

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**R 338.272**

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**R 338.274**

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**R 338.275**

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**R 338.276**

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**R 338.279**

**Source:** 1983 AACS.

**ADMINISTRATIVE HEARINGS—OPTOMETRY**

**R 338.281**

**Source:** 1997 AACS.

**R 338.282**

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**R 338.283**

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**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**UNETHICAL AND ETHICAL CONDUCT**

**R 338.291**  
Source: 2010 AACs.

**R 338.292**  
Source: 1997 AACs.

**BOARD OF REGISTRATION IN PODIATRY**  
**SCOPE OF EXAMINATIONS FOR LICENSURE**

**R 338.311**  
Source: 1997 AACs.

**R 338.312**  
Source: 1997 AACs.

**BOARD OF PODIATRIC MEDICINE AND SURGERY**  
**ADMINISTRATIVE HEARINGS**

**R 338.341**  
Source: 1997 AACs.

**R 338.342**  
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**R 338.343**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

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Source: 1997 AACs.

**R 338.355**  
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**R 338.361**  
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**R 338.363**  
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**R 338.364**  
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**R 338.370**  
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**R 338.372**  
Source: 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.373**  
Source: 1997 AACS.

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**R 338.375**  
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**R 338.376**  
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**R 338.381**  
Source: 1997 AACS.

**R 338.382**  
Source: 1997 AACS.

**R 338.383**  
Source: 1997 AACS.

**R 338.384**  
Source: 1997 AACS.

**DIRECTOR'S OFFICE**

**PHARMACY**

**PART 1. GENERAL PROVISIONS**

**R 338.471**  
Source: 1979 AC.

**R 338.471a**  
Source: 2007 AACS.

**R 338.472**  
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Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

- R 338.473c**  
Source: 1986 AACS.
- R 338.473d**  
Source: 2007 AACS.
- R 338.474a**  
Source: 2007 AACS.
- R 338.475**  
Source: 2007 AACS.
- R 338.476**  
Source: 1980 AACS.
- R 338.477**  
Source: 1998-2000 AACS.
- R 338.477a**  
Source: 1979 AC.
- R 338.477b**  
Source: 1998-2000 AACS.
- R 338.478**  
Source: 1979 AC.
- R 338.479**  
Source: 1980 AACS.
- R 338.479b**  
Source: 2007 AACS.
- R 338.479c**  
Source: 1998-2000 AACS.
- R 338.480**  
Source: 1992 AACS.
- R 338.480a**  
Source: 1998-2000 AACS.
- R 338.481**  
Source: 1998-2000 AACS.
- R 338.482**  
Source: 1980 AACS.
- R 338.483**  
Source: 1997 AACS.
- R 338.485**  
Source: 1997 AACS.
- R 338.485a**  
Source: 1997 AACS.
- R 338.485b**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACs.

**R 338.485c**

**Source:** 1997 AACs.

**R 338.485d**

**Source:** 1997 AACs.

**R 338.485e**

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**R 338.485f**

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**R 338.485g**

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**R 338.485h**

**Source:** 1997 AACs.

**R 338.485i**

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**R 338.485j**

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**R 338.485k**

**Source:** 1997 AACs.

**R 338.485l**

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**R 338.485m**

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**R 338.485n**

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**R 338.485o**

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**R 338.485p**

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**R 338.485q**

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**R 338.485r**

**Source:** 1997 AACs.

**R 338.485s**

**Source:** 1997 AACs.

**R 338.485t**

**Source:** 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.485u**  
Source: 1997 AACS.

**R 338.485v**  
Source: 1997 AACS.

**R 338.485w**  
Source: 1997 AACS.

**R 338.485x**  
Source: 1997 AACS.

**R 338.485y**  
Source: 1997 AACS.

**R 338.486**  
Source: 1998-2000 AACS.

**R 338.488**  
Source: 1990 AACS.

**R 338.489**  
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**R 338.490**  
Source: 1998-2000 AACS.

**PART 2. MANUFACTURING AND DISTRIBUTION OF PRESCRIPTION DRUGS**

**R 338.493a**  
Source: 1998-2000 AACS.

**R 338.493b**  
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**R 338.493c**  
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**R 338.493d**  
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**R 338.493f**  
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**R 338.494**  
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**R 338.495**  
Source: 1998-2000 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

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**Source:** 1998-2000 AACS.

**R 338.497**  
**Source:** 1981 AACS.

**PART 3. MEDICATION DRUG BOX EXCHANGE PROGRAMS FOR HOSPICE**

**R 338.500**  
**Source:** 1995 AACS.

**BOARD OF REGISTRATION FOR ARCHITECTS,  
PROFESSIONAL ENGINEERS, AND LAND SURVEYORS**  
**BYLAWS AND RULES**

**R 338.551**  
**Source:** 1997 AACS.

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**Source:** 1997 AACS.

**R 338.563**  
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**HEARINGS**

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.581**  
Source: 1997 AACS.

**R 338.582**  
Source: 1997 AACS.

**R 338.583**  
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**R 338.584**  
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Source: 1997 AACS.

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Source: 1997 AACS.

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**DIRECTOR'S OFFICE**

**SPEECH-LANGUAGE PATHOLOGY - GENERAL RULES**

**R 338.601**  
Source: 2011 AACS.

**R 338.603**  
Source: 2011 AACS.

**R 338.605**  
Source: 2011 AACS.

**R 338.607**  
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**R 338.609**  
Source: 2011 AACS.

**R 338.611**  
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**R 338.613**  
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**R 338.615**  
Source: 2011 AACS.

**R 338.617**  
Source: 2011 AACS.

**R 338.619**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.621**

**Source:** 2011 AACCS.

**R 338.623**

**Source:** 2011 AACCS.

**R 338.625**

**Source:** 2011 AACCS.

**MASSAGE THERAPY - GENERAL RULES**

**R 338.701 Definitions**

Rule 1. As used in these rules:

- (a) "Board" means the board of massage therapy.
  - (b) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.
  - (c) "Department" means the department of licensing and regulatory affairs.
  - (d) "Endorsement" means the acknowledgement that the licensing criteria in 1 jurisdiction is substantially equivalent to the criteria established and described in section 16186 of the code.
  - (e) "One hour of classroom instruction" means 50 to 60 minutes of supervised instruction in subjects that will prepare an individual to begin practice as a licensed massage therapist in which the instructor is physically present with the students while teaching or providing instruction. For instructors at a supervised student clinic, "physically present" means on the premises where the clinic is being held.
  - (f) "Supervised curriculum" means a massage therapy curriculum that meets the requirements of R 338.705 and is taught in a school as defined in section 17951(1)(e) of the code.
  - (g) "Supervised student clinic" means practical instruction required as part of a supervised curriculum that consists of a student providing massages under the supervision of a licensed massage therapist to members of the public. For the purposes of this subdivision, "members of the public" means individuals who are not currently enrolled in the massage therapy student's supervised curriculum.
- History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.703 Implementation of licensing program.**

Rule 3. Effective 2 years from the effective date of this rule, and in accordance with MCL 333.17959(3) of the code, any individual who intends to practice as a massage therapist in Michigan shall possess a Michigan license to practice in this state.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.705 Supervised curriculum; massage therapists; requirements.**

Rule 5. (1) A supervised curriculum shall include, at a minimum, both of the following:

- (a) Five hundred hours of classroom instruction as defined in R 338.701(e).
  - (b) Courses or coursework that includes all of the following:
    - (i) Two hundred hours of massage and bodywork assessment, theory, and application instruction.
    - (ii) One hundred twenty-five hours of instruction on the body systems, which includes anatomy, physiology, and kinesiology.
    - (iii) Forty hours of pathology.
    - (iv) Ten hours of business, professional practice, and ethics instruction, with a minimum of 6 hours in ethics.
    - (v) One hundred twenty-five hours of instruction in an area or related field, as determined by the school, that completes the massage therapy program of study, which shall include a minimum of 40 hours performing massage therapy services in a supervised student clinic supervised by a licensed massage therapist.
- (2) A supervised curriculum shall use only classroom instruction as defined in R 338.701(e) to meet the requirements of subrule (1)(b)(i) and (v) of this rule.
- (3) A supervised curriculum may use online courses, or courses combining classroom instruction and online instruction, to meet the subject requirements of subrule (1)(b)(ii), (iii), or (iv) of this rule. An online course, or any part of a course that is taught online, shall not be accepted or applied towards the 500 hours of classroom instruction required in subrule (1)(a) of this rule.
- (4) Any supervised curriculum that meets the requirements of this rule qualifies as a massage therapy curriculum approved

**Annual Administrative Code Supplement**  
**2012 Edition**

by the board.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.707 Supervised student clinic; requirements.**

Rule 7. (1) Before beginning the supervised student clinic required under R 338.705(1)(b)(v), a student shall complete not less than 20 hours of courses or coursework in pathology.

(2) A supervised student clinic shall satisfy all of the following requirements:

(a) The clinic shall be held on school premises.

(b) The clinic shall be supervised by a licensed massage therapist who is a faculty member of the school offering the supervised curriculum. The supervising massage therapist shall be present on the premises and readily accessible to the students at all times during the clinic.

(c) The ratio of students to supervising massage therapists shall not exceed 15 students to 1 supervisor.

(3) A supervising massage therapist shall ensure that a student possesses the appropriate education, experience, and skills before allowing the student to provide a massage to any member of the public during a supervised student clinic.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.709 Licensure; massage therapist; requirements.**

Rule 9. (1) An applicant for a massage therapist license by examination shall submit the required fee and a completed application on a form provided by the department. In addition to meeting the requirements of the code and these rules, an applicant shall meet all of the following requirements:

(a) Have a high school diploma or the equivalent as determined by the board.

(b) Have successfully completed a supervised curriculum that meets the requirements approved by the board under R 338.705.

(c) Pass an examination approved by the board under R 338.713.

(2) If an applicant satisfies the requirements of R 338.711 within 2 years of the effective date of this rule, then the applicant presumably meets the requirements of subrule (1) of this rule.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.711 Application for license based on professional membership, experience, examination or education; requirements.**

Rule 11. An applicant for a massage therapist license under section 17959(3) of the code shall submit the required fee and a completed application on a form provided by the department within 2 years of the effective date of this rule. In addition to meeting the requirements of the code and these rules, an applicant shall meet the requirement in R 338.709(1)(a) and satisfy 1 of the following requirements:

(a) Have possessed active membership in 1 of the following national professional massage therapy associations for at least 1 year before January 9, 2009:

(i) American massage therapy association.

(ii) American medical massage association.

(iii) Associated bodywork and massage professionals.

(iv) American massage council.

(v) International myomassethics federation.

(vi) Any national professional massage therapy association that meets the requirements of section 17959(3)(a) of the code.

(b) Have practiced massage therapy for an average of not less than 10 hours per week for 5 years or more, as established by affidavit of the applicant.

(c) Have practiced massage therapy for an average of not less than 10 hours per week for not less than 3 years, as established by affidavit of the applicant, and successfully completed not less than 300 hours of formal training in massage therapy. For the purposes of this rule, "300 hours of formal training in massage therapy" means 300 hours of coursework in massage therapy that was successfully completed in a school or schools as defined in section 17951(1)(e) of the code. The 300 hours of coursework shall consist of a minimum of 40 hours in pathology and 6 hours in ethics; the remaining hours shall be in any combination of hours in the curriculum subject areas listed in R 338.705(1)(b). In addition, the coursework shall comply with the following, as applicable:

(i) Coursework in the subject areas listed in R 338.705(1)(b)(i) and (v) was provided using only classroom instruction as defined in R 338.701(e).

(ii) Coursework in the subject areas listed in R 338.705(1)(b)(ii), (iii), or (iv) was provided using classroom instruction as defined in R 338.701(e), online courses, or courses combining classroom instruction and online instruction.

(d) Have passed an examination approved by the board under R 338.713.

**Annual Administrative Code Supplement**  
**2012 Edition**

- (e) Have successfully completed either of the following:
    - (i) A supervised curriculum that meets the requirements approved by the board under R 338.705.
    - (ii) A supervised curriculum that meets the requirements of R 338.715(1)(a).
- History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.713 Examinations; adoption and approval; passing scores.**

Rule 13. (1) The board approves and adopts the federation of state massage therapy boards' massage and bodywork licensing examination (mblex). The board adopts the passing score recommended by the federation of state massage therapy boards for the mblex examination.

(2) The board approves and adopts the national certification board for therapeutic massage and bodywork's national certification examination for therapeutic massage (ncetm) and national certification examination for therapeutic massage and bodywork (ncetmb). The board adopts the passing scores recommended by the national certification board for therapeutic massage and bodywork for the ncetm and ncetmb.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.715 Foreign-trained applicants; licensure; requirements.**

Rule 15. (1) An applicant for a massage therapist license who completed a massage therapy curriculum outside of the United States shall submit the required fee and a completed application on a form provided by the department. In addition to meeting the requirements of the code and these rules, an applicant shall possess a high school diploma, or the equivalent, pursuant to R 338.709(1)(a) and meet all of the following requirements:

(a) Have successfully completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum that meets the requirements approved by the board under R 338.705. Evidence of having completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum includes an evaluation of the applicant's education by a recognized and accredited credential evaluation agency.

(b) Pass an examination approved by the board under R 338.713.

(c) Demonstrate a working knowledge of the English language if the applicant's massage therapy curriculum was taught in a language other than English. To demonstrate a working knowledge of the English language, the applicant must establish either of the following:

(i) The applicant has obtained a score of not less than 550 on the test of English as a foreign language (toefl) administered by the educational testing service and obtained a score of not less than 50 on the test of spoken English administered by the educational testing service.

(ii) The applicant has obtained a total score of not less than 89 on the test of English as a foreign language internet-based test (toefl-ibt) administered by the educational testing service and obtained the following section scores:

- (A) Not less than 21 on the reading section.
- (B) Not less than 18 on the listening section.
- (C) Not less than 26 on the speaking section.
- (D) Not less than 24 on the writing section.

(2) If an applicant satisfies the requirements of R 338.711 within 2 years of the effective date of this rule, then the applicant presumably meets the requirements of subrule (1) of this rule.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.717 Licensure by endorsement; requirements.**

Rule 17. (1) An applicant for a license by endorsement as a massage therapist shall submit the required fee and a completed application on a form provided by the department. In addition to meeting the requirements of the code and these rules, an applicant who satisfies the requirements of this rule, as applicable, shall meet the requirements of section 16186 of the code.

(2) If an applicant was first registered or licensed as a massage therapist in another state of the United States for 5 years or more immediately preceding the date of filing an application for a Michigan massage therapist license, then the applicant shall meet both of the following requirements:

- (a) Possess a high school diploma, or the equivalent, pursuant to R 338.709(1)(a).
- (b) Have passed an examination approved by the board under R 338.713.

(3) If an applicant was first registered or licensed as a massage therapist in another state of the United States for less than 5 years immediately preceding the date of filing an application for a Michigan massage therapist license, then the applicant shall meet all of the following requirements:

(a) Have successfully completed a supervised curriculum that meets the requirements approved by the board under R 338.705 or successfully completed a massage therapy curriculum that is substantially equivalent to a supervised curriculum

**Annual Administrative Code Supplement**  
**2012 Edition**

that meets the requirements approved by the board under R 338.705.

(b) Possess a high school diploma, or the equivalent, pursuant to R 338.709(1)(a).

(c) Have passed an examination approved by the board under R 338.713.

(d) Meet the requirements of R 338.715(1)(c) if the applicant's educational curriculum was taught in a language other than English.

(4) In addition to meeting the requirements of subrule (1) and either subrule (2) or (3) of this rule, an applicant's registration or license shall be verified by the licensing agency of any state in which the applicant holds a current registration or license or ever held a registration or license as a massage therapist. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

(5) If an applicant satisfies the requirements of R 338.711 within 2 years of the effective date of this rule, then the applicant presumably meets the requirements of subrule (1) and either subrule (2) or (3) of this rule, as applicable.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.719 Relicensure.**

Rule 19. (1) An applicant whose license has lapsed for less than 3 years preceding the date of application for relicensure may be relicensed under section 16201(3) of the code if the applicant submits the required fee and a completed application on a form provided by the department.

(2) An applicant whose license has lapsed for 3 years or more preceding the date of application for relicensure may be relicensed under section 16201(4) of the code if the applicant meets the requirements of subrule (1) of this rule and either of the following requirements:

(a) Passes an examination approved by the board under R 338.713.

(b) Presents evidence to the department that he or she was registered or licensed as a massage therapist in another state during the 3-year period immediately preceding the application for relicensure.

(3) In addition to meeting the requirements of either subrule (1) or (2) of this rule, as applicable, an applicant's registration or license shall be verified by the licensing agency of any state of the United States in which the applicant holds a current registration or license or ever held a registration or license as a massage therapist. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.721 License renewal; requirements.**

Rule 21. An applicant for license renewal who has been licensed for the 2-year period immediately preceding the application for renewal shall submit the required fee.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.723 Prohibited conduct.**

Rule 23. Prohibited conduct includes, but is not limited to, the following acts or omissions by an individual covered by these rules:

(a) Practicing outside of the boundaries of professional competence, based on education, training, and experience. This includes, but is not limited to, providing massage therapy services without ensuring the safety, comfort, and privacy of the client.

(b) Engaging in harassment or unfair discrimination based on age, gender, gender identity, race, ethnicity, national origin, religion, sexual orientation, disability, or any basis proscribed by law.

(c) Refusing to provide professional service based on age, gender identity, race, ethnicity, national origin, religion, sexual orientation, disability, or any basis proscribed by law. This requirement does not prevent a licensee from terminating a massage therapy session with someone or refusing to treat any person who suggests or requests that the licensee engage in conduct that is inappropriate, unsafe, or unethical.

(d) Involvement in a conflict of interest that interferes with the exercise of professional discretion or makes the client's interests secondary.

(e) Taking advantage of or exploiting a supervisee or student to further the licensee's personal, religious, political, business, or financial interests.

(f) Taking on a professional role when a personal, scientific, legal, financial, or other relationship impairs the exercise of professional discretion or make the interests of a client or student secondary to those of the licensee.

(g) Being involved in a dual or multiple relationship with a current or former client, when there is a risk of harm to, or exploitation of, the client. As used in this rule, "dual or multiple relationship" means a relationship in which a licensee is in a professional role with a client and 1 or more of the following occurs at the same time:

(i) The licensee takes advantage of any current or former professional relationship or exploits the client to further the

**Annual Administrative Code Supplement**  
**2012 Edition**

licensee's personal, religious, political, business or financial interests, including inducing the client to solicit business on behalf of the licensee.

- (ii) The licensee solicits or engages in a sexual relationship with a current client.
  - (iii) The licensee engages in a sexual relationship with a former client when there is a risk of harm or exploitation to the former client.
  - (iv) The licensee promises to enter into another relationship in the future with the client.
- History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.725 Advertising.**

Rule 25. A licensee shall not engage in advertising which does any of the following:

- (a) Contains a misrepresentation of facts.
- (b) Is misleading or deceiving in its content or context.
- (c) Creates false or unjustified expectations of beneficial treatment or successful cures.
- (d) Omits a material fact that misleads or deceives the public.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.727 Client records.**

Rule 27. (1) A licensee shall maintain a legible client record for each client, which accurately reflects the licensee's assessment and treatment of the client. Entries in the client record shall be made in a timely fashion.

- (2) The client record shall contain all of the following information:
  - (a) The name of the massage therapist providing treatment.
  - (b) The client's full name, address, date of birth, gender, and other information sufficient to identify the client.
  - (c) If the client is less than 18 years of age, written permission of either a parent or guardian for the minor client's receipt of massage therapy.
  - (d) Information identifying any pre-existing conditions the client may have or verification that the client has no pre-existing conditions.
  - (e) Dates of service and date of entry in the client record.
  - (f) A client record entry for an initial client visit that includes all of the following:
    - (i) History, including description of presenting condition.
    - (ii) Therapeutic assessment, if applicable.
    - (iii) Treatment or care provided, if applicable. Outcome, if available.
  - (g) A client record entry for subsequent assessments, treatments, or care provided that includes all of the following:
    - (i) Change in condition.
    - (ii) Therapeutic assessment, if applicable.
    - (iii) Treatment or care provided, if applicable. Outcome, if available.
  - (h) If applicable, a referral to another health care provider.
- (3) For massage therapy treatment provided at a special event, a licensee shall maintain a client record that meets the requirements of subrules (1) and (2) of this rule or an abbreviated client record, as specified in subrule (4) of this rule. For purposes of this subrule, "special event" means any of the following:
  - (a) A charitable, community, or sporting events.
  - (b) One-time events.
  - (c) Massages performed at any location that are 20 minutes or less in duration.
- (4) An abbreviated client record allowed under subrule (3) of this rule shall consist of, at a minimum, a completed intake form that contains all of the following information:
  - (a) The client's full name, date of birth, and an address or telephone number where the client can be contacted.
  - (b) The information listed in subrule (2)(a), (c), (d) and (e) of this rule.
- (5) Under section 16213 of the code, a licensee shall retain a client record for at least 7 years from the date of the last massage therapy treatment for which a client record entry is required. A licensee shall retain the client record for a minor client until 1 year after the minor client reaches 18 years of age, even if this results in the record being retained for more than 7 years.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**BOARD OF EXAMINERS IN MORTUARY SCIENCE**

**GENERAL RULES**

**Annual Administrative Code Supplement**  
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**R 338.863**  
Source: 1997 AACs.

**R 338.864**  
Source: 1997 AACs.

**R 338.865**  
Source: 1997 AACs.

**R 338.866**  
Source: 1997 AACs.

**R 338.867**  
Source: 1997 AACs.

**R 338.868**  
Source: 1997 AACs.

**R 338.869**  
Source: 1997 AACs.

**HEARINGS**

**R 338.881**  
Source: 1997 AACs.

**DIRECTOR'S OFFICE**

**MECHANICAL RULES LICENSE EXAMINATION PROCEDURES**

**R 338.901**  
Source: 1986 AACs.

**R 338.902**  
Source: 1986 AACs.

**R 338.903**  
Source: 1986 AACs.

**R 338.904**  
Source: 1986 AACs.

**R 338.905**  
Source: 1986 AACs.

**R 338.906**  
Source: 1986 AACs.

**R 338.907**  
Source: 1986 AACs.

**R 338.908**  
Source: 1986 AACs.

**R 338.909**  
Source: 1986 AACs.

**Annual Administrative Code Supplement**  
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**R 338.910**  
Source: 1986 AACS.

**R 338.911**  
Source: 1986 AACS.

**R 338.912**  
Source: 1986 AACS.

**R 338.913**  
Source: 1986 AACS.

**R 338.914**  
Source: 1986 AACS.

**PLUMBING—LICENSES**

**R 338.921**  
Source: 1985 AACS.

**R 338.922**  
Source: 1985 AACS.

**R 338.923**  
Source: 1985 AACS.

**R 338.924**  
Source: 1985 AACS.

**R 338.926**  
Source: 1985 AACS.

**R 338.927**  
Source: 1985 AACS.

**R 338.928**  
Source: 1985 AACS.

**R 338.929**  
Source: 1985 AACS.

**R 338.930**  
Source: 1985 AACS.

**R 338.931**  
Source: 1985 AACS.

**R 338.932**  
Source: 1979 AC.

**REFUND OF FEES**

**R 338.941**  
Source: 1998-2000 AACS.

**R 338.942**

**Annual Administrative Code Supplement**  
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**Source:** 1981 AACS.

**R 338.943**

**Source:** 1981 AACS.

**R 338.944**

**Source:** 1980 AACS.

**HEALTH CODE BOARDS DISCIPLINARY  
PROCEEDINGS—FILINGS BEFORE APRIL 1, 1994**

**R 338.951**

**Source:** 2007 AACS.

**R 338.952**

**Source:** 2007 AACS.

**R 338.953**

**Source:** 2007 AACS.

**R 338.954**

**Source:** 2007 AACS.

**R 338.955**

**Source:** 2007 AACS.

**R 338.956**

**Source:** 2007 AACS.

**R 338.957**

**Source:** 2007 AACS.

**R 338.958**

**Source:** 2007 AACS.

**R 338.959**

**Source:** 2007 AACS.

**R 338.960**

**Source:** 2007 AACS.

**R 338.961**

**Source:** 2007 AACS.

**R 338.962**

**Source:** 2007 AACS.

**R 338.963**

**Source:** 2007 AACS.

**R 338.964**

**Source:** 2007 AACS.

**R 338.965**

**Source:** 2007 AACS.

**R 338.966**

**Source:** 2007 AACS.

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**R 338.967**  
Source: 2007 AACCS.

**R 338.968**  
Source: 2007 AACCS.

**R 338.969**  
Source: 2007 AACCS.

**R 338.970**  
Source: 2007 AACCS.

**R 338.971**  
Source: 2007 AACCS.

**R 338.972**  
Source: 2007 AACCS.

**R 338.973**  
Source: 2007 AACCS.

**R 338.974**  
Source: 2007 AACCS.

**R 338.975**  
Source: 2007 AACCS.

**R 338.976**  
Source: 2007 AACCS.

**R 338.977**  
Source: 2007 AACCS.

**R 338.978**  
Source: 2007 AACCS.

**R 338.979**  
Source: 2007 AACCS.

**R 338.980**  
Source: 2007 AACCS.

**R 338.981**  
Source: 2007 AACCS.

**R 338.982**  
Source: 2007 AACCS.

**R 338.983**  
Source: 2007 AACCS.

**R 338.984**  
Source: 2007 AACCS.

**R 338.985**  
Source: 2007 AACCS.

**R 338.986**

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**Source:** 2007 AACS.

**R 338.987**

**Source:** 2007 AACS.

**R 338.988**

**Source:** 2007 AACS.

**R 338.989**

**Source:** 2007 AACS.

**R 338.990**

**Source:** 2007 AACS.

**ELECTRICAL RULES**

**R 338.1001**

**Source:** 1997 AACS.

**R 338.1001a**

**Source:** 1994 AACS.

**R 338.1002**

**Source:** 1997 AACS.

**R 338.1002a**

**Source:** 1994 AACS.

**R 338.1003**

**Source:** 1997 AACS.

**R 338.1003a**

**Source:** 1996 AACS.

**R 338.1004**

**Source:** 1997 AACS.

**R 338.1004a**

**Source:** 1994 AACS.

**R 338.1005**

**Source:** 1997 AACS.

**R 338.1005a**

**Source:** 1994 AACS.

**R 338.1005b**

**Source:** 1996 AACS.

**R 338.1005c**

**Source:** 1996 AACS.

**R 338.1005d**

**Source:** 1996 AACS.

**R 338.1006**

**Source:** 1997 AACS.

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**R 338.1006a**  
Source: 1996 AACS.

**R 338.1006b**  
Source: 1996 AACS.

**R 338.1007**  
Source: 1997 AACS.

**R 338.1007a**  
Source: 1994 AACS.

**R 338.1008**  
Source: 1997 AACS.

**R 338.1008a**  
Source: 1994 AACS.

**R 338.1009**  
Source: 1997 AACS.

**R 338.1009a**  
Source: 1994 AACS.

**R 338.1010a**  
Source: 1994 AACS.

**R 338.1011**  
Source: 1997 AACS.

**R 338.1011a**  
Source: 1996 AACS.

**R 338.1012**  
Source: 1997 AACS.

**R 338.1012a**  
Source: 1994 AACS.

**R 338.1013**  
Source: 1997 AACS.

**R 338.1013a**  
Source: 1996 AACS.

**R 338.1014**  
Source: 1997 AACS.

**R 338.1014a**  
Source: 1996 AACS.

**R 338.1015**  
Source: 1997 AACS.

**R 338.1015a**  
Source: 1996 AACS.

**R 338.1016**  
Source: 1997 AACS.

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**R 338.1016a**  
Source: 1994 AACS.

**R 338.1017**  
Source: 1997 AACS.

**R 338.1017a**  
Source: 1996 AACS.

**R 338.1018**  
Source: 1997 AACS.

**R 338.1018a**  
Source: 1994 AACS.

**R 338.1019**  
Source: 1997 AACS.

**R 338.1020**  
Source: 1997 AACS.

**R 338.1021**  
Source: 1997 AACS.

**R 338.1022**  
Source: 1997 AACS.

**R 338.1022a**  
Source: 1994 AACS.

**R 338.1023**  
Source: 1997 AACS.

**R 338.1023a**  
Source: 1994 AACS.

**R 338.1024**  
Source: 1997 AACS.

**R 338.1027a**  
Source: 1996 AACS.

**R 338.1031**  
Source: 1997 AACS.

**R 338.1032**  
Source: 1997 AACS.

**R 338.1033**  
Source: 1997 AACS.

**R 338.1035a**  
Source: 1994 AACS.

**R 338.1037a**  
Source: 1994 AACS.

**R 338.1039a**

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**Source:** 1994 AACS.

**R 338.1041**

**Source:** 1997 AACS.

**R 338.1042**

**Source:** 1997 AACS.

**R 338.1043**

**Source:** 1997 AACS.

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**Source:** 1997 AACS.

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**Source:** 1997 AACS.

**R 338.1051**

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**R 338.1061**

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**R 338.1062**

**Source:** 1997 AACS.

**R 338.1063**

**Source:** 1997 AACS.

**R 338.1071**

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**Source:** 1997 AACs.

**R 338.1072**

**Source:** 1997 AACs.

**R 338.1073**

**Source:** 1997 AACs.

**R 338.1074**

**Source:** 1997 AACs.

**R 338.1075**

**Source:** 1997 AACs.

**R 338.1076**

**Source:** 1997 AACs.

**R 338.1077**

**Source:** 1997 AACs.

**R 338.1081**

**Source:** 1997 AACs.

**R 338.1082**

**Source:** 1997 AACs.

**R 338.1083**

**Source:** 1997 AACs.

**R 338.1084**

**Source:** 1997 AACs.

**R 338.1085**

**Source:** 1997 AACs.

**R 338.1086**

**Source:** 1997 AACs.

**R 338.1087**

**Source:** 1997 AACs.

**R 338.1088**

**Source:** 1997 AACs.

**R 338.1099a**

**Source:** 1994 AACs.

**STATE BOARD OF PHYSICAL THERAPY REGISTRATION**  
**GENERAL RULES**

**R 338.1131**

**Source:** 1997 AACs.

**R 338.1132**

**Source:** 1997 AACs.

**R 338.1133**

**Source:** 1997 AACs.

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**R 338.1134**  
Source: 1997 AACS.

**R 338.1135**  
Source: 1997 AACS.

**R 338.1136**  
Source: 1997 AACS.

**R 338.1137**  
Source: 1997 AACS.

**R 338.1138**  
Source: 1997 AACS.

**R 338.1139**  
Source: 1997 AACS.

**R 338.1140**  
Source: 1997 AACS.

**R 338.1141**  
Source: 1997 AACS.

**R 338.1142**  
Source: 1997 AACS.

**R 338.1143**  
Source: 1997 AACS.

**R 338.1144**  
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**R 338.1145**  
Source: 1997 AACS.

**R 338.1146**  
Source: 1997 AACS.

**R 338.1147**  
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**R 338.1148**  
Source: 1997 AACS.

**R 338.1149**  
Source: 1997 AACS.

**R 338.1150**  
Source: 1997 AACS.

**R 338.1151**  
Source: 1997 AACS.

**DIRECTOR'S OFFICE**  
**PHYSICAL THERAPY**  
**PART 3. ADMINISTRATIVE HEARINGS**

**Annual Administrative Code Supplement**  
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**R 338.1161**  
Source: 1997 AACS.

**R 338.1162**  
Source: 1997 AACS.

**R 338.1163**  
Source: 1997 AACS.

**R 338.1164**  
Source: 1997 AACS.

**R 338.1165**  
Source: 1997 AACS.

**R 338.1166**  
Source: 1997 AACS.

**R 338.1167**  
Source: 1997 AACS.

**R 338.1168**  
Source: 1997 AACS.

**R 338.1169**  
Source: 1997 AACS.

**R 338.1170**  
Source: 1997 AACS.

**R 338.1171**  
Source: 1997 AACS.

**R 338.1172**  
Source: 1997 AACS.

**R 338.1173**  
Source: 1997 AACS.

**R 338.1174**  
Source: 1997 AACS.

**R 338.1175**  
Source: 1997 AACS.

**R 338.1176**  
Source: 1997 AACS.

**R 338.1177**  
Source: 1997 AACS.

**R 338.1178**  
Source: 1997 AACS.

**R 338.1176**  
Source: 1997 AACS.

**R 338.1177**  
Source: 1997 AACS.

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**R 338.1178**  
**Source:** 1997 AACS.

**R 338.1179**  
**Source:** 1997 AACS.

**R 338.1180**  
**Source:** 1997 AACS.

**R 338.1181**  
**Source:** 1997 AACS.

**R 338.1182**  
**Source:** 1997 AACS.

**R 338.1183**  
**Source:** 1997 AACS.

**R 338.1184**  
**Source:** 1997 AACS.

**R 338.1185**  
**Source:** 1997 AACS.

**OCCUPATIONAL THERAPISTS**

**R 338.1191**  
**Source:** 1993 AACS.

**R 338.1192**  
**Source:** 1993 AACS.

**R 338.1194**  
**Source:** 1997 AACS.

**R 338.1196**  
**Source:** 1997 AACS.

**R 338.1197**  
**Source:** 1997 AACS.

**R 338.1197a**  
**Source:** 1997 AACS.

**R 338.1198**  
**Source:** 1993 AACS.

**R 338.1200**  
**Source:** 1997 AACS.

**NURSING**

**R 338.1201**  
**Source:** 1997 AACS.

**R 338.1203**  
**Source:** 1997 AACS.

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**R 338.1204**  
Source: 1997 AACS.

**R 338.1205**  
Source: 1997 AACS.

**R 338.1206**  
Source: 1997 AACS.

**R 338.1207**  
Source: 1997 AACS.

**R 338.1208**  
Source: 1997 AACS.

**R 338.1209**  
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**R 338.1210**  
Source: 1997 AACS.

**R 338.1211**  
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**R 338.1212**  
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**R 338.1213**  
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**R 338.1214**  
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**R 338.1215**  
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**R 338.1216**  
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**R 338.1217**  
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**R 338.1218**  
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**R 338.1219**  
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**R 338.1220**  
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**R 338.1221**  
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**R 338.1222**  
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**R 338.1223**  
Source: 1997 AACS.

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**R 338.1224**  
Source: 1997 AACS.

**R 338.1225**  
Source: 1997 AACS.

**R 338.1226**  
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**R 338.1227**  
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**R 338.1228**  
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**R 338.1229**  
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**R 338.1230**  
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**R 338.1231**  
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**R 338.1232**  
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**R 338.1233**  
Source: 1997 AACS.

**R 338.1234**  
Source: 1997 AACS.

**R 338.1235**  
Source: 1997 AACS.

**PART 4. ADMINISTRATIVE HEARINGS**

**R 338.1241**  
Source: 1997 AACS.

**R 338.1242**  
Source: 1997 AACS.

**R 338.1243**  
Source: 1997 AACS.

**R 338.1244**  
Source: 1997 AACS.

**R 338.1245**  
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**R 338.1246**  
Source: 1997 AACS.

**R 338.1247**  
Source: 1997 AACS.

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**R 338.1248**  
Source: 1997 AACS.

**R 338.1249**  
Source: 1997 AACS.

**R 338.1250**  
Source: 1997 AACS.

**R 338.1251**  
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**R 338.1252**  
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**R 338.1254**  
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**R 338.1256**  
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**R 338.1259**  
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**R 338.1260**  
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**R 338.1261**  
Source: 1997 AACS.

**R 338.1262**  
Source: 1997 AACS.

**R 338.1263**  
Source: 1997 AACS.

**R 338.1264**  
Source: 1997 AACS.

**R 338.1265**  
Source: 1997 AACS.

**DEPARTMENT OF COMMUNITY HEALTH**  
**DIRECTOR'S OFFICE**  
**ATHLETIC TRAINING - GENERAL RULES**

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**R 338.1301**  
Source: 2010 AACCS.

**R 338.1305**  
Source: 2010 AACCS.

**R 338.1309**  
Source: 2010 AACCS.

**R 338.1313**  
Source: 2010 AACCS.

**R 338.1317**  
Source: 2010 AACCS.

**R 338.1321**  
Source: 2010 AACCS.

**R 338.1325**  
Source: 2010 AACCS.

**R 338.1329**  
Source: 2010 AACCS.

**R 338.1333**  
Source: 2010 AACCS.

**R 338.1337**  
Source: 2010 AACCS.

**R 338.1341**  
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**R 338.1345**  
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**R 338.1349**  
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**R 338.1353**  
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**R 338.1357**  
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**R 338.1361**  
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**R 338.1365**  
Source: 2010 AACCS.

**R 338.1369**  
Source: 2010 AACCS.

**R 338.1373**  
Source: 2010 AACCS.

**R 338.1377**

Source: 2010 AACS.

**DIRECTOR'S OFFICE  
HOROLOGY**

**R 338.1401**  
Source: 1997 AACS.

**R 338.1402**  
Source: 1997 AACS.

**R 338.1403**  
Source: 1997 AACS.

**R 338.1404**  
Source: 1997 AACS.

**R 338.1405**  
Source: 1997 AACS.

**R 338.1406**  
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**R 338.1407**  
Source: 1997 AACS.

**R 338.1408**  
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**R 338.1409**  
Source: 1997 AACS.

**R 338.1410**  
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**R 338.1411**  
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**R 338.1412**  
Source: 1997 AACS.

**R 338.1413**  
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**R 338.1414**  
Source: 1997 AACS.

**R 338.1415**  
Source: 1997 AACS.

**R 338.1416**  
Source: 1997 AACS.

**R 338.1417**  
Source: 1997 AACS.

**R 338.1418**

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**Source:** 1997 AACS.

**R 338.1419**

**Source:** 1997 AACS.

**R 338.1420**

**Source:** 1997 AACS.

**R 338.1421**

**Source:** 1997 AACS.

**R 338.1422**

**Source:** 1997 AACS.

**R 338.1423**

**Source:** 1997 AACS.

**R 338.1424**

**Source:** 1997 AACS.

**RESIDENTIAL BUILDERS' AND MAINTENANCE AND ALTERATION CONTRACTORS' BOARD**

**GENERAL RULES**

**PART 1. GENERAL**

**R 338.1511**

**Source:** 2006 AACS.

**R 338.1512**

**Source:** 1998-2000 AACS.

**R 338.1519**

**Source:** 1990 AACS.

**R 338.1521**

**Source:** 2006 AACS.

**R 338.1521a**

**Source:** 2008 AACS.

**PART 2. LICENSES AND BONDS**

**R 338.1522**

**Source:** 1997 AACS.

**R 338.1523**

**Source:** 1997 AACS.

**R 338.1523a**

**Source:** 1998-2000 AACS.

**R 338.1524**

**Source:** 2006 AACS.

**R 338.1525**

**Source:** 2006 AACS.

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**R 338.1526**  
Source: 2006 AACS.

**R 338.1531**  
Source: 2006 AACS.

**R 338.1532**  
Source: 2006 AACS.

**R 338.1533**  
Source: 2006 AACS.

**R 338.1534**  
Source: 2006 AACS.

**R 338.1535**  
Source: 2006 AACS.

**R 338.1536**  
Source: 2006 AACS.

**PART 5. COMPLAINTS AND HEARINGS**

**R 338.1551**  
Source: 2006 AACS.

**R 338.1554**  
Source: 1997 AACS.

**R 338.1555**  
Source: 2002 AACS.

**PART 6. EDUCATION**

**R 338.1560**  
Source: 2011 AACS.

**R 338.1562**  
Source: 2011 AACS.

**R 338.1564**  
Source: 2011 AACS.

**R 338.1566**  
Source: 2011 AACS.

**DIRECTOR'S OFFICE**

**HEALTH CODE BOARDS DISCIPLINARY PROCEEDINGS**

**R 338.1601**  
Source: 1996 AACS.

**R 338.1602**  
Source: 1996 AACS.

**R 338.1603**  
Source: 1996 AACS.

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**R 338.1604**  
Source: 1996 AACS.

**R 338.1605**  
Source: 1996 AACS.

**R 338.1606**  
Source: 1996 AACS.

**R 338.1607**  
Source: 1996 AACS.

**R 338.1608**  
Source: 1996 AACS.

**R 338.1609**  
Source: 1996 AACS.

**R 338.1610**  
Source: 1996 AACS.

**R 338.1611**  
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**R 338.1612**  
Source: 1996 AACS.

**R 338.1614**  
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**R 338.1615**  
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**R 338.1616**  
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**R 338.1617**  
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**R 338.1618**  
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**R 338.1619**  
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**R 338.1620**  
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**R 338.1621**  
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**R 338.1622**  
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**R 338.1623**  
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**R 338.1624**  
Source: 1996 AACS.

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**R 338.1625**  
Source: 1996 AACCS.

**R 338.1626**  
Source: 1996 AACCS.

**R 338.1627**  
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**R 338.1628**  
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**R 338.1635**  
Source: 1996 AACCS.

**R 338.1636**  
Source: 1996 AACCS.

**R 338.1637**  
Source: 1996 AACCS.

**COUNSELING**

**PART 1. GENERAL PROVISIONS**

**R 338.1751 Definitions.**

Rule 1. As used in these rules:

- (a) "Board" means the board of counseling.
- (b) "Career development" means studies that provide an understanding of all of the following:
  - (i) Career development theories.
  - (ii) Occupational and educational information sources and systems.
  - (iii) Career counseling.
  - (iv) Lifestyle and career decision making.
  - (v) Career development program planning, implementation, and evaluation.
- (c) "Code" means 1978 PA 368, MCL 333.1101.
- (d) "Consulting" means studies that provide an understanding of the process of psychoeducational consultation with emphasis on theories and strategies that are used to provide services to individuals, groups, and organizations.
- (e) "Counseling philosophy" means studies that incorporate a belief system that a person can change or develop a more fully

**Annual Administrative Code Supplement**  
**2012 Edition**

functioning self through the application of various counseling approaches regardless of the extent of the problem.

(f) "Counseling techniques" means the application of counseling and psychotherapy skills and theories in the counseling process in order to do all of the following:

- (i) Establish and maintain the counseling relationship.
- (ii) Diagnose and identify the problem.
- (iii) Formulate a preventive, treatment, or rehabilitative plan.
- (iv) Facilitate appropriate interventions.

(g) "Counseling theories" means the study of the theoretical foundations of counseling and psychotherapy, including, but not limited to, major affective, behavioral, and cognitive theories of human development and personality development and change and multicultural and diversity issues in counseling.

(h) "Department" means the department of licensing and regulatory affairs.

(i) "Group techniques" means the application of basic counseling and psychotherapy skills and theories in the group counseling process that are based on an understanding of group development and dynamics, theories of group counseling and psychotherapy, and group leadership styles.

(j) "Internship" means supervised curricular field experience that provides students opportunities to perform all the activities that a licensed professional counselor would be expected to perform.

(k) "Multicultural counseling" means the study of the effects of diversity on the counseling process.

(l) "Practicum" means a supervised curricular experience that provides for the development of individual and group counseling and psychotherapy skills by giving students opportunities to perform, on a limited basis, some of the activities that a licensed professional counselor would be expected to perform.

(m) "Professional ethics" means studies that prepare students to understand and apply the legal requirements and ethical codes related to the practice of counseling.

(n) "Research methodology" means studies that provide an understanding of all of the following:

- (i) Types of research and their application to the practice of counseling.
- (ii) Basic statistics.
- (iii) Research design, proposal development, implementation, and report writing.

(o) "Supervision" means the term as defined in section 16109(2) of the code.

(p) "Supervisor" means a licensed professional counselor who received training in the function of counseling supervision, as specified in R 338.1757.

(q) "Testing procedures" means studies that provide an understanding of all of the following:

- (i) Group and individual psychometric theories and approaches to appraisal and diagnosis.
- (ii) Selecting, administering, scoring, and interpreting instruments and procedures that are designed to assess all of the following with respect to an individual:

- (a) Aptitudes.
- (b) Interests.
- (c) Attitudes.
- (d) Abilities.
- (e) Achievements.
- (f) Personal characteristics.
- (iii) Factors that influence appraisals.
- (iv) Use of appraisal and diagnostic results in helping processes.

(r) "Under the supervision of a licensed professional counselor" means under the ongoing supervision of a licensed professional counselor licensed in this state who meets the requirements of a supervisor or under the ongoing supervision of an individual in another state who substantially meets the requirements for a professional counselor license and counseling supervisor in this state.

History: 1991 AACCS; 1993 AACCS; 1995 AACCS; 2003 AACCS; 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1752 Application requirements; licensure by examination.**

Rule 2. (1) An applicant for a professional counselor license shall submit a completed application on a form provided by the department, together with the requisite fee, and the professional disclosure statement required under the code. In addition to meeting the requirements of the code and administrative rules, an applicant shall meet the requirements of this rule.

(2) An applicant shall have received a master's or doctoral degree in counseling or student personnel work in a program approved by the board.

(3) In addition to meeting the requirements of subrule (2) of this rule, an applicant, after receiving the degree, shall meet both of the following requirements:

- (a) Have engaged in the practice of counseling under section 18101(d) of the code, which practice involved an opportunity

**Annual Administrative Code Supplement**  
**2012 Edition**

to work with a broad range of the population and which was conducted in an organized education, business, health, private practice, or human services setting under the supervision of a licensed professional counselor for either of the following periods of time, as applicable:

(i) For an applicant who has received a master's degree in counseling or student personnel work, not less than 3,000 hours accrued in not less than a 2-year period, with not less than 100 hours of regularly scheduled supervision accrued in the immediate physical presence of the supervisor. The supervision begins upon the issuance of the limited license and continues until the licensed professional counselor license is issued.

(ii) For an applicant who has completed 30 semester hours or 45 quarter hours of graduate study in counseling beyond the master's degree in counseling or student personnel work, not less than 1,500 hours accrued over not less than a 1-year period, with not less than 50 hours of regularly scheduled supervision accrued in the immediate physical presence of the supervisor. The supervision begins upon the issuance of the limited license and continues until the licensed professional counselor license is issued.

(b) Have passed either of the following examinations with a passing score established by the testing organizations.

(i) The national counselor examination developed by the national board for certified counselors.

(ii) The certification examination developed and scored by the commission on rehabilitation counselor certification.

(4) For practice experience gained in Michigan, an applicant shall have held a limited license pursuant to the provisions of R 338.1754 while accruing the experience.

History: 1991 AACCS; 1993 AACCS; 1995 AACCS; 2003 AACCS; 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1752a Examination adoption.**

Rule 2a. (1) The board approves and adopts the national counselor examination developed by the national board for certified counselors. The passing score for the national counselor examination is the passing score established by the national board for certified counselors.

(2) The board approves and adopts the certification examination developed by the commission on rehabilitation counselor certification. The passing score on the certification examination shall be the passing score established by the commission on rehabilitation counselor certification.

History: 1993 AACCS; 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1753 Counselor training programs; approval standards; adoption by reference.**

Rule 3. (1) The board shall approve a counselor training program that is conducted in a higher education institution that meets the standards in R 338.1753a and complies with 1 of the following:

(a) The program consists of not less than 48 semester hours or 72 quarter hours in counseling-related topics.

(b) The program meets the 2009 standards of the council for accreditation of counseling and related educational programs (cacrep) for accrediting master's-level counseling degree programs and doctoral-level counseling education and supervision programs, which the board adopts by reference as set forth in the document entitled "Council for Accreditation of Counseling and Related Educational Programs (CACREP), 2009 Standards." The board shall consider any master's-level counseling degree program and any doctoral-level counseling education and supervision program that are accredited by cacrep as a counseling program approved by the board. Copies of the 2009 cacrep standards are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909. Copies of the standards are available at no cost from the website for the Council for Accreditation of Counseling and Related Educational Programs at <http://www.cacrep.org>.

(c) The program meets the 2001 standards of the council for accreditation of counseling and related educational programs (cacrep) for accrediting master's-level counseling degree programs and doctoral-level counseling education and supervision programs, which the board adopts by reference as set forth in the document entitled "Council for Accreditation of Counseling and Related Educational Programs (CACREP), 2001 Standards." The board shall consider any master's-level counseling degree program and any doctoral-level counseling education and supervision program that are accredited by cacrep as a counseling program approved by the board. Copies of the 2001 cacrep standards are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909. Copies of the standards are available at no cost from the website for the Council for Accreditation of Counseling and Related Educational Programs at <http://www.cacrep.org>.

(d) The program meets the standards for accrediting rehabilitation counselor education programs of the council on rehabilitation education, which the board adopts by reference as set forth in the document entitled "Council on Rehabilitation Education (CORE) Accreditation Manual," 2009 edition with revised standards effective January 1, 2011. The board shall consider any rehabilitation counselor education program that is accredited by core as a program approved by the board. Copies of core's standards for accrediting rehabilitation counselor education programs are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory

**Annual Administrative Code Supplement**  
**2012 Edition**

Affairs, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909, or from the Council on Rehabilitation Education, 300 N. Martingale Road, Suit 460, Schaumburg, IL 60173 at no cost from the council's website at <http://www.core-rehab.org>.

(2) The program shall include graduate course work in all of the following content areas:

- (a) Career development.
- (b) Consulting.
- (c) Counseling techniques.
- (d) Counseling theories.
- (e) Counseling philosophy.
- (f) Group techniques.
- (g) Professional ethics.
- (h) Research methodology.
- (i) Multicultural counseling.
- (j) Testing procedures and assessment.
- (k) Practicum.

(3) The program shall include an internship that consists of not less than 600 hours of supervised clinical experience in counseling.

History: 1991 AACCS; 1993 AACCS; 2003 AACCS; 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1753a Accreditation standards; higher education institutions; adoption by reference.**

Rule 3a. (1) A higher education institution is considered approved by the board if it is accredited by the accrediting body of the region in which the institution is located and the accrediting body meets either the recognition standards and criteria of the council for higher education accreditation or the recognition procedures and criteria of the U.S. department of education. The board adopts by reference the procedures and criteria for recognizing accrediting agencies of the U. S. department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations, and the policies and procedures for recognition of accrediting organizations of the council for higher education accreditation (chea), effective June 28, 2010. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards may also be obtained at no cost from the council's website at <http://www.chea.org>. The federal recognition criteria may also be obtained at no cost from website for the U.S. Department of Education Office of Postsecondary Education, at <http://www.ed.gov/about/offices/list/OPE/index.html>.

(2) The board adopts by reference the standards of the following postsecondary accrediting organizations, which are available for inspection and distribution at cost from the Board of Counseling, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. Copies of the following standards may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Association of Colleges and Schools Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation," 2009 edition, which is available free of charge on the association's website at <http://www.msche.org>.

(b) The standards of the New England Association of Schools and Colleges, Inc. Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, in the document entitled "Standards for Accreditation," 2005 edition, which is available at no cost on the association's website at <http://www.neasc.org>.

(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, set forth in the document entitled "Handbook of Accreditation," Third Edition, which is available for no cost on the association's website <http://www.ncahigherlearningcommission.org>.

(d) The standards of the Northwest Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052 set forth in the document entitled "Accreditation Handbook," 2003 edition, updated June 23, 2008, and "Revised Accreditation Standards 2010" which are available at no cost on the association's website at <http://www.nwccu.org>.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, Georgia 30033, set forth in the document entitled "Principles of Accreditation: Foundations for Quality Enhancement," 2010 Edition, which is available at no cost on the association's website at <http://www.sacscoc.org>.

(f) The standards of the Western Association of Schools and Colleges, The Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "Handbook of Accreditation," October 2008, which is available at no cost on the commission's website at <http://www.wascenior.org>.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior

**Annual Administrative Code Supplement**  
**2012 Edition**

Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949 set forth in the document entitled "Accreditation Reference Handbook," August 2009, which is available at no cost on the commission's website at <http://www.accjc.org>.

History: 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1753b Application requirements; licensure by endorsement.**

Rule 3b. (1) In addition to meeting the requirements of the code and administrative rules, an applicant for a professional counselor license by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee.

(2) If an applicant was licensed in another state and has been engaged in the practice of counseling for a minimum of 5 years before the date of filing an application for Michigan licensure, then it is presumed that the applicant meets the requirements of section 16186(1)(a) and (b) of the code. In addition, an applicant shall meet both of the following requirements:

(a) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(3) If an applicant was licensed in another state or territory of the United States and has been engaged in the practice of counseling for less than 5 years before the date of filing an application for Michigan licensure, then the applicant shall comply with the requirements for licensure by examination, as specified in R 338.1752, and shall meet both of the following requirements:

(a) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1753c Application requirements; relicensure of licensed professional counselor.**

Rule 3c. (1) An applicant for relicensure as a licensed professional counselor shall submit a completed application on a form provided by the department, together with the requisite fee. An applicant shall also comply with either of the following:

(a) If the license was lapsed for less than 3 years, an applicant shall comply with both of the following:

(i) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(ii) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(b) If the license was lapsed for 3 or more years, an applicant shall submit a professional disclosure statement with his or her application for licensure, as required under section 18113(3) of the code, and shall do either of the following:

(i) Retake and pass either the national counselor examination developed by the national board for certified counselors or the certification examination given by the commission on rehabilitation counselor certification.

(ii) Submit evidence of current certification issued by the national board for certified counselors or the commission on rehabilitation counselor certification.

(2) If an applicant was originally licensed as a counselor based on the applicant having received a master's or doctoral degree in counseling or student personnel work that was conferred before October 1, 1991, and the applicant completed 2 years of professional experience before October 1, 1993, the applicant shall comply with both of the following:

(a) Submit an updated professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1754 Application requirements; limited licenses; disclosure of supervision requirement.**

Rule 4. (1) An applicant for licensure as a limited licensed professional counselor shall submit a completed application on a form provided by the department, together with the requisite fee, and the professional disclosure statement required under the code. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall meet the requirements of this rule.

(2) An applicant for a limited license under section 18111 of the code shall establish that the applicant has received a master's or doctoral degree in counseling or student personnel work in a program approved by the board, as specified in R 338.1753.

(3) An applicant shall submit a professional disclosure statement with an application for a limited license, as required under section 18113(3) of the code. The limited licensed professional counselor's professional disclosure statement when provided to the client shall state that the limited licensed professional counselor shall practice under the supervision of a licensed professional counselor. In addition to the requirements under section 18113 of the code, the disclosure statement shall identify the licensed professional counselor who is supervising the limited licensed professional counselor's practice.

(4) An applicant shall provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(5) Effective January 1, 2012, a limited license may be renewed annually, but for no more than 10 years. In cases of hardship, the board may consider a request for an extension of this time period.

History: 1991 AACCS; 1995 AACCS; 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1755 Application requirements; relicensure limited licensed professional counselor.**

Rule 5. An applicant for relicensure as a limited licensed professional counselor shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules promulgated under the code, an applicant shall satisfy both of the following requirements:

(a) Submit a professional disclosure statement with an application for licensure, as required under section 18113(3) of the code.

(b) Provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state or territory of the United States in which the applicant holds a current license or ever held a license as a professional counselor. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1756 Rescinded.**

History: 1995 AACCS; 2003 AACCS; 2012 MR 6, Eff. Mar. 29, 2012.

**R 338.1757 Requirements to provide counseling supervision.**

Rule 7. (1) Before providing counseling supervision, a licensed professional counselor shall comply with 1 of the following:

(a) For licensed individuals who were providing supervision on or before January 1, 2013, have training in the function of counseling supervision and have acquired at least 3 years of experience in counseling.

(b) For licensed individuals who began providing supervision after January 1, 2013, have acquired at least 3 years of practice in counseling and have completed training in the function of counseling supervision that complies with the requirements of subrule (2) of this rule.

(2) Training in the function of counseling supervision shall include both of the following requirements:

(a) Include 1 of the following as specialized training:

(i) 2 semester hours of graduate credit in training in counseling supervision.

(ii) 30 contact hours of workshop training in counseling supervision.

(b) The specialized training specified in subrule (2)(a) of this rule shall include studies in all of the following topics:

(i) Roles and functions of counseling supervisors.

(ii) Models of counseling supervision.

(iii) Mental health-related development.

(iv) Methods and techniques in counseling supervision.

(v) Supervisory relationship issues.

(vi) Cultural issues in supervision.

(vii) Group supervision.

(viii) Legal and ethical issues in counseling supervision.

**Annual Administrative Code Supplement**  
**2012 Edition**

(ix) Evaluation of supervisee and the supervision process.

(3) Before the onset of supervision, a licensed professional counselor shall provide a supervisee with a written statement that addresses the licensee's supervising qualifications, including how the licensee complies with the requirements in subrules (1) and (2) of this rule.

(4) A licensee who provides counseling supervision shall keep ongoing documentation, including, but not limited to, performance and clinical notes, for each supervisee on the supervision being provided.

History: 2012 MR 6, Eff. Mar. 29, 2012.

**MARRIAGE COUNSELORS**

**R 390.1801**

Source: 2003 AACs.

**PART 1. ORGANIZATION OF BOARD**

**R 338.1811**

Source: 1997 AACs.

**R 338.1812**

Source: 1997 AACs.

**R 338.1813**

Source: 1997 AACs.

**R 338.1814**

Source: 1997 AACs.

**R 338.1815**

Source: 1997 AACs.

**PART 2. CERTIFICATION**

**R 338.1821**

Source: 1997 AACs.

**R 338.1822**

Source: 1997 AACs.

**R 338.1823**

Source: 1997 AACs.

**R 338.1824**

Source: 1997 AACs.

**R 338.1825**

Source: 1997 AACs.

**PART 3. HEARINGS**

**R 338.1831**

Source: 1997 AACs.

**R 338.1832**

Source: 1997 AACs.

**R 338.1833**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACS.

**R 338.1834**

**Source:** 1997 AACS.

**R 338.1835**

**Source:** 1997 AACS.

**R 338.1836**

**Source:** 1997 AACS.

**R 338.1837**

**Source:** 1997 AACS.

**R 338.1841**

**Source:** 1998-2000 AACS.

**R 338.1842**

**Source:** 1998-2000 AACS.

**R 338.1843**

**Source:** 1998-2000 AACS.

**R 338.1844**

**Source:** 1998-2000 AACS.

**R 338.1861**

**Source:** 1998-2000 AACS.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**DIRECTORS OFFICE**

**HEARING AID DEALERS**

**PART 1. LICENSING**

**R 338.1901**

**Source:** 1998-2000 AACS.

**R 338.1905**

**Source:** 1998-2000 AACS.

**R 338.1906**

**Source:** 1998-2000 AACS.

**R 338.1907**

**Source:** 1998-2000 AACS.

**R 338.1908**

**Source:** 1998-2000 AACS.

**R 338.1909**

**Source:** 1998-2000 AACS.

**R 338.1910**

**Source:** 1998-2000 AACS.

**R 338.1911**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1998-2000 AACS.

**R 338.1912**

**Source:** 1998-2000 AACS.

**R 338.1913**

**Source:** 1998-2000 AACS.

**R 338.1914**

**Source:** 1998-2000 AACS.

**PART 2. CONDUCT OF BUSINESS**

**R 338.1921**

**Source:** 1998-2000 AACS.

**R 338.1922**

**Source:** 1998-2000 AACS.

**HEARING AID DEALERS**

**PART 3. COMPLAINTS AND HEARINGS**

**R 338.1941**

**Source:** 1997 AACS.

**R 338.1942**

**Source:** 1997 AACS.

**R 338.1943**

**Source:** 1997 AACS.

**BARBER EXAMINERS**

**R 338.2001**

**Source:** 1997 AACS.

**R 338.2002**

**Source:** 1997 AACS.

**R 338.2003**

**Source:** 1997 AACS.

**R 338.2004**

**Source:** 1997 AACS.

**R 338.2005**

**Source:** 1997 AACS.

**R 338.2006**

**Source:** 1997 AACS.

**R 338.2007**

**Source:** 1997 AACS.

**R 338.2008**

**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2009**  
Source: 1997 AACs.

**R 338.2010**  
Source: 1997 AACs.

**R 338.2011**  
Source: 1997 AACs.

**R 338.2012**  
Source: 1997 AACs.

**R 338.2013**  
Source: 1997 AACs.

**R 338.2014**  
Source: 1997 AACs.

**R 338.2015**  
Source: 1997 AACs.

**R 338.2016**  
Source: 1997 AACs.

**R 338.2017**  
Source: 1997 AACs.

**R 338.2018**  
Source: 1997 AACs.

**R 338.2019**  
Source: 1997 AACs.

**R 338.2020**  
Source: 1997 AACs.

**R 338.2021**  
Source: 1997 AACs.

**R 338.2022**  
Source: 1997 AACs.

**R 338.2023**  
Source: 1997 AACs.

**R 338.2024**  
Source: 1997 AACs.

**R 338.2025**  
Source: 1997 AACs.

**R 338.2026**  
Source: 1997 AACs.

**R 338.2027**  
Source: 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2028**  
Source: 1997 AACS.

**R 338.2029**  
Source: 1997 AACS.

**R 338.2030**  
Source: 1997 AACS.

**R 338.2031**  
Source: 1997 AACS.

**R 338.2032**  
Source: 1997 AACS.

**R 338.2033**  
Source: 1997 AACS.

**R 338.2034**  
Source: 1997 AACS.

**R 338.2035**  
Source: 1997 AACS.

**R 338.2036**  
Source: 1997 AACS.

**R 338.2037**  
Source: 1997 AACS.

**R 338.2038**  
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**R 338.2039**  
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**R 338.2040**  
Source: 1997 AACS.

**R 338.2041**  
Source: 1997 AACS.

**R 338.2042**  
Source: 1997 AACS.

**R 338.2043**  
Source: 1997 AACS.

**R 338.2044**  
Source: 1997 AACS.

**R 338.2045**  
Source: 1997 AACS.

**R 338.2046**  
Source: 1997 AACS.

**R 338.2047**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACS.

**R 338.2048**

**Source:** 1997 AACS.

**R 338.2049**

**Source:** 1997 AACS.

**R 338.2050**

**Source:** 1997 AACS.

**R 338.2051**

**Source:** 1997 AACS.

**R 338.2052**

**Source:** 1997 AACS.

**R 338.2053**

**Source:** 1997 AACS.

**R 338.2054**

**Source:** 1997 AACS.

**COSMETOLOGY**

**PART 1. GENERAL PROVISIONS**

**R 338.2101**

**Source:** 2006 AACS.

**R 338.2102**

**Source:** 1998-2000 AACS.

**R 338.2103**

**Source:** 1998-2000 AACS.

**R 338.2106**

**Source:** 1998-2000 AACS.

**R 338.2107**

**Source:** 1998-2000 AACS.

**R 338.2109**

**Source:** 1979 AC.

**PART 2. LICENSES AND PERMITS**

**R 338.2121**

**Source:** 1998-2000 AACS.

**R 338.2122**

**Source:** 1998-2000 AACS.

**R 338.2123**

**Source:** 1998-2000 AACS.

**R 338.2124**

**Source:** 1998-2000 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2125**  
Source: 1998-2000 AACS.

**R 338.2126**  
Source: 1998-2000 AACS.

**R 338.2127**  
Source: 2006 AACS.

**R 338.2128**  
Source: 1979 AC.

**PART 3. FACILITIES AND EQUIPMENT**

**R 338.2131**  
Source: 1998-2000 AACS.

**R 338.2132**  
Source: 1998-2000 AACS.

**R 338.2132a**  
Source: 1998-2000 AACS.

**R 338.2133**  
Source: 1998-2000 AACS.

**R 338.2134**  
Source: 2006 AACS.

**R 338.2135**  
Source: 1998-2000 AACS.

**R 338.2136**  
Source: 1998-2000 AACS.

**R 338.2137**  
Source: 1998-2000 AACS.

**R 338.2138**  
Source: 1998-2000 AACS.

**R 338.2139**  
Source: 2004 AACS.

**R 338.2139a**  
Source: 2006 AACS.

**PART 4. ADVERTISING; REGISTRATION; EXAMINATION; RECORDS; TRANSFERS**

**R 338.2141**  
Source: 2004 AACS.

**R 338.2142**  
Source: 1998-2000 AACS.

**R 338.2143**  
Source: 1998-2000 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2144**  
Source: 1998-2000 AACS.

**R 338.2145**  
Source: 2006 AACS.

**R 338.2146**  
Source: 1998-2000 AACS.

**R 338.2147**  
Source: 1997 AACS.

**R 338.2148**  
Source: 1998-2000 AACS.

**R 338.2149**  
Source: 1998-2000 AACS.

**PART 5. CURRICULUM**

**R 338.2151**  
Source: 2004 AACS.

**R 338.2151a**  
Source: 1998-2000 AACS.

**R 338.2152**  
Source: 1998-2000 AACS.

**R 338.2153**  
Source: 1998-2000 AACS.

**R 338.2155**  
Source: 1997 AACS.

**R 338.2156**  
Source: 1998-2000 AACS.

**PART 6. HEALTH AND SAFETY**

**R 338.2161**  
Source: 1998-2000 AACS.

**R 338.2161a**  
Source: 2004 AACS.

**R 338.2161b**  
Source: 2004 AACS.

**R 338.2162**  
Source: 1998-2000 AACS.

**R 338.2162a**  
Source: 2004 AACS.

**R 338.2163**  
Source: 1998-2000 AACS.

**R 338.2163a**  
Source: 2004 AACS.

**R 338.2163b**  
Source: 1998-2000 AACS.

**R 338.2163c**  
Source: 2004 AACS.

**R 338.2166**  
Source: 1998-2000 AACS.

**R 338.2167**  
Source: 1998-2000 AACS.

**R 338.2168**  
Source: 1998-2000 AACS.

**R 338.2169**  
Source: 1998-2000 AACS.

#### **PART 7. INSTRUCTORS AND DEMONSTRATORS**

**R 338.2171**  
Source: 1998-2000 AACS.

**R 338.2172**  
Source: 1998-2000 AACS.

**R 338.2173**  
Source: 1998-2000 AACS.

**R 338.2174**  
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**R 338.2175**  
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**R 338.2176**  
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**R 338.2178**  
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**R 338.2179**  
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**R 338.2179a**  
Source: 1998-2000 AACS.

**R 338.2179b**  
Source: 1998-2000 AACS.

**R 338.2179c**  
Source: 1998-2000 AACS.

**R 338.2179d**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1998-2000 AACS.

**R 338.2179e**

**Source:** 2004 AACS.

**R 338.2179f**

**Source:** 1998-2000 AACS.

**R 338.2179g**

**Source:** 2004 AACS.

**R 338.2179h**

**Source:** 1998-2000 AACS.

**PART 8. STUDENTS**

**R 338.2181**

**Source:** 1998-2000 AACS.

**R 338.2182**

**Source:** 1998-2000 AACS.

**R 338.2183**

**Source:** 1998-2000 AACS.

**R 338.2184**

**Source:** 1998-2000 AACS.

**R 338.2185**

**Source:** 1998-2000 AACS.

**R 338.2186**

**Source:** 1998-2000 AACS.

**PART 9. HEARINGS**

**R 338.2191**

**Source:** 1997 AACS.

**R 338.2192**

**Source:** 1997 AACS.

**R 338.2193**

**Source:** 1997 AACS.

**R 338.2194**

**Source:** 1997 AACS.

**R 338.2195**

**Source:** 1997 AACS.

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**R 338.2201**

**Source:** 2006 AACS.

**R 338.2202**

**Source:** 2006 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2203**  
Source: 2006 AACS.

**R 338.2204**  
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**R 338.2205**  
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**R 338.2206**  
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**R 338.2207**  
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**CHIROPRACTIC**

**R 338.2208**  
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**R 338.2209**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2222**  
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**R 338.2239**  
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**R 338.2240**  
Source: 1997 AACS.

**R 338.2241**  
**Source:** 1997 AACCS.

**R 338.2242**  
**Source:** 1997 AACCS.

**R 338.2243**  
**Source:** 1997 AACCS.

**R 338.2244**  
**Source:** 1997 AACCS.

**R 338.2245**  
**Source:** 1997 AACCS.

## **MEDICINE**

### **PART 1. GENERAL PROVISIONS**

**R 338.2301 Definitions.**

Rule 1. As used in these rules:

- (a) "Board" means the board of medicine.
  - (b) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.
  - (c) "Completed the requirements for a degree in medicine" means that the applicant graduated from a medical educational program which is not less than 130 weeks and does not award credit for any course taken by correspondence. The core curriculum of a medical educational program includes, at a minimum, all of the following courses in the basic sciences and clerkships in the clinical sciences:
    - (i) Courses in the basic sciences, which includes courses in all of the following:
      - (A) Anatomy.
      - (B) Physiology.
      - (C) Biochemistry.
      - (D) Microbiology.
      - (E) Pathology.
      - (F) Pharmacology and therapeutics.
      - (G) Preventive medicine.
    - (ii) Clerkships in the clinical sciences, which means core clinical clerkships completed either in a hospital or institution located in the United States, its territories, the District of Columbia, or Canada that is approved by the board or in a hospital or institution that offers a postgraduate clinical training program in the content area of the clinical clerkship. Clerkships in the clinical sciences include clinical clerkships in all of the following:
      - (A) Internal medicine.
      - (B) General surgery.
      - (C) Pediatrics.
      - (D) Obstetrics and gynecology.
      - (E) Psychiatry.
  - (d) "Department" means the department of licensing and regulatory affairs.
- History: 1979 AC; 1981 AACCS; 1986 AACCS; 1987 AACCS; 2012 MR 22, Eff. Nov. 29, 2012

**R 338.2302**  
**Source:** 1979 AC.

**R 338.2303**  
**Source:** 1985 AACCS.

**R 338.2304 Delegation to physician's assistants; written authorization; requirements.**

Rule 4. (1) A physician who supervises a physician's assistant under sections 17048 and 17049 of the code shall establish a written authorization that delegates to a physician's assistant the performance of medical care services or the prescribing of schedule 2 to 5 controlled substances, or both. The written authorization shall contain all of the following information:

- (a) The name, license number, and signature of the supervising physician.

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- (b) The name, license number, and signature of the physician's assistant.
  - (c) The limitations or exceptions to the delegation of any medical care services or prescription of schedule 2 to 5 controlled substances.
  - (d) The effective date of the delegation.
  - (2) A delegating physician shall review and update a written authorization prior to the renewal of a physician's assistant's license or in the interim as needed. A delegating physician shall note the review date on the written authorization.
  - (3) A delegating physician shall maintain a written authorization in each separate location of the physician's office where the delegation occurs.
  - (4) A delegating physician shall ensure that an amendment to the written authorization is in compliance with subrule (1)(a) to (d) of this rule.
  - (5) A delegating physician shall not delegate the prescription of a drug or device individually, in combination, or in succession for a woman known to be pregnant with the intention of causing either a miscarriage or fetal death.
- History: 1998-2000 AACS; 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.2305**

**Source:** 1998-2000 AACS.

**R 338.2308**

**Source:** 1990 AACS.

**R 338.2309**

**Source:** 1979 AC.

**PART 2. LICENSES**

**R 338.2311**

**Source:** 1997 AACS.

**R 338.2312**

**Source:** 1997 AACS.

**R 338.2313**

**Source:** 1987 AACS.

**R 338.2314**

**Source:** 1994 AACS.

**R 338.2315**

**Source:** 1997 AACS.

**R 338.2316**

**Source:** 1994 AACS.

**R 338.2317**

**Source:** 1994 AACS.

**R 338.2318**

**Source:** 1994 AACS.

**R 338.2319**

**Source:** 1994 AACS.

**R 338.2320**

**Source:** 1997 AACS.

**R 338.2322**

**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2323**  
Source: 1997 AACS.

**R 338.2325**  
Source: 1997 AACS.

**R 338.2326**  
Source: 1987 AACS.

**R 338.2327**  
Source: 1997 AACS.

**R 338.2327a**  
Source: 1991 AACS.

**R 338.2328**  
Source: 1997 AACS.

**R 338.2329**  
Source: 1997 AACS.

**R 338.2329a**  
Source: 1989 AACS.

**PART 3. ADMINISTRATIVE HEARINGS**

**R 338.2330**  
Source: 1997 AACS.

**R 338.2331**  
Source: 1997 AACS.

**R 338.2332**  
Source: 1997 AACS.

**R 338.2333**  
Source: 1997 AACS.

**R 338.2334**  
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**R 338.2335**  
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**R 338.2336**  
Source: 1997 AACS.

**R 338.2337**  
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**R 338.2338**  
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**R 338.2339**  
Source: 1997 AACS.

**R 338.2340**  
Source: 1997 AACS.

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**2012 Edition**

**R 338.2341**  
Source: 1997 AACCS.

**R 338.2342**  
Source: 1997 AACCS.

**R 338.2343**  
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**R 338.2344**  
Source: 1997 AACCS.

**R 338.2345**  
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**R 338.2346**  
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**R 338.2347**  
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**R 338.2348**  
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**R 338.2349**  
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**R 338.2350**  
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**R 338.2351**  
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**R 338.2352**  
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**R 338.2353**  
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**R 338.2354**  
Source: 1997 AACCS.

**R 338.2355**  
Source: 1997 AACCS.

**PART 5. CONTINUING MEDICAL EDUCATION**

**R 338.2371**  
Source: 1991 AACCS.

**R 338.2372**  
Source: 1979 AC.

**R 338.2373**  
Source: 1979 AC.

**R 338.2374**  
Source: 1991 AACCS.

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**2012 Edition**

- R 338.2375**  
Source: 1979 AC.
- R 338.2376**  
Source: 1991 AACS.
- R 338.2377**  
Source: 1979 AC.
- R 338.2378**  
Source: 1979 AC.
- R 338.2379**  
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- R 338.2380**  
Source: 1991 AACS.
- R 338.2381**  
Source: 1991 AACS.
- R 338.2382**  
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- LAND SURVEYORS**
- R 338.2401**  
Source: 1997 AACS.
- R 338.2402**  
Source: 1997 AACS.
- R 338.2403**  
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- R 338.2404**  
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- R 338.2405**  
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- R 338.2406**  
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- R 338.2407**  
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- R 338.2408**  
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- R 338.2409**  
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- R 338.2410**  
Source: 1997 AACS.
- R 338.2411**  
Source: 1997 AACS.

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**2012 Edition**

**R 338.2412**  
Source: 1997 AACs.

**R 338.2413**  
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**R 338.2414**  
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**R 338.2430**  
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**R 338.2431**

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**Source:** 1997 AACS.

**R 338.2432**

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**R 338.2451**  
Source: 1997 AACS.

**R 338.2452**  
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**R 338.2459**  
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**R 338.2460**  
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**R 338.2461**  
Source: 1997 AACS.

**PSYCHOLOGY**

**R 338.2501**  
Source: 2005 AACS.

**R 338.2502**  
Source: 1979 AC.

**R 338.2503**  
Source: 2007 AACS.

**R 338.2504**  
Source: 2003 AACS.

**R 338.2505**  
Source: 2007 AACS.

**R 338.2505a**  
Source: 2007 AACS.

**R 338.2506**  
Source: 2007 AACS.

**R 338.2507**  
Source: 2007 AACS.

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**2012 Edition**

**R 338.2507a**  
Source: 2005 AACCS.

**R 338.2508**  
Source: 2003 AACCS.

**R 338.2509**  
Source: 2003 AACCS.

**R 338.2510**  
Source: 2005 AACCS.

**R 338.2510a**  
Source: 2007 AACCS.

**R 338.2511**  
Source: 2009 AACCS.

**R 338.2512**  
Source: 1997 AACCS.

**R 338.2513**  
Source: 1982 AACCS.

**R 338.2514**  
Source: 2007 AACCS.

**R 338.2515**  
Source: 2007 AACCS.

**R 338.2516**  
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**REAL ESTATE SCHOOLS**

**R 338.2601**  
Source: 1997 AACCS.

**R 338.2602**  
Source: 1997 AACCS.

**R 338.2603**  
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**R 338.2604**  
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**R 338.2606**  
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**R 338.2607**  
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**R 338.2608**  
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**2012 Edition**

**R 338.2609**  
Source: 1997 AACS.

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**REAL ESTATE BROKERS AND SALESMEN**

**R 338.2701**  
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**R 338.2703**  
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**R 338.2727**  
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**R 338.2784**  
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**R 338.2785**

**Source:** 1997 AACS.

**R 338.2786**

**Source:** 1997 AACS.

**NURSING HOME ADMINISTRATORS**

**R 338.2801**

**Source:** 1997 AACS.

**R 338.2802**

**Source:** 1997 AACS.

**R 338.2803**

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**R 338.2818**  
Source: 1997 AACS.

**R 338.2819**  
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**R 338.2841**  
Source: 1997 AACS.

**R 338.2842**  
Source: 1997 AACS.

**R 338.2843**  
Source: 1997 AACS.

**R 338.2844**  
Source: 1997 AACS.

**R 338.2845**  
Source: 1997 AACS.

**R 338.2846**  
Source: 1997 AACS.

**R 338.2847**  
Source: 1997 AACS.

**R 338.2848**  
Source: 1997 AACS.

**R 338.2849**  
Source: 1997 AACS.

**DEPARTMENT OF COMMUNITY HEALTH**

**DIRECTOR'S OFFICE**

**SOCIAL WORK - GENERAL RULES**

**R 338.2901**  
Source: 2005 AACS.

**R 338.2902**  
Source: 1997 AACS.

**R 338.2903**  
Source: 1997 AACS.

**R 338.2904**  
Source: 1997 AACS.

**R 338.2905**  
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**R 338.2906**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.2906a**  
Source: 2005 AACS.

**R 338.2907**  
Source: 1997 AACS.

**R 338.2907a**  
Source: 2005 AACS.

**R 338.2907b**  
Source: 2005 AACS.

**R 338.2908**  
Source: 2005 AACS.

**R 338.2908a**  
Source: 2003 AACS.

**R 338.2908b**  
Source: 2005 AACS.

**R 338.2908c**  
Source: 2005 AACS.

**R 338.2908d**  
Source: 2005 AACS.

**R 338.2908e**  
Source: 2005 AACS.

**R 338.2908f**  
Source: 2005 AACS.

**R 338.2908g**  
Source: 2005 AACS.

**R 338.2908h**  
Source: 2005 AACS.

**R 338.2908i**  
Source: 2005 AACS.

**R 338.2908j**  
Source: 2005 AACS.

**R 338.2908k**  
Source: 2005 AACS.

**R 338.2908l**  
Source: 2005 AACS.

**R 338.2908m**  
Source: 2005 AACS.

**R 338.2908n**  
Source: 2005 AACS.

**R 338.2908o**

**Annual Administrative Code Supplement**  
**2012 Edition**

Source: 2005 AACs.

**R 338.2909**

Source: 2005 AACs.

**R 338.2910**

Source: 2005 AACs.

**R 338.2911**

Source: 1997 AACs.

**R 338.2912**

Source: 1997 AACs.

**R 338.2913**

Source: 1997 AACs.

**R 338.2914**

Source: 1997 AACs.

**R 338.2915**

Source: 1997 AACs.

**BOARD OF PHARMACY - RADIOPHARMACEUTICALS**

**R 338.3001**

Source: 1979 AC.

**R 338.3002**

Source: 1979 AC.

**R 338.3003**

Source: 1979 AC.

**R 338.3004**

Source: 1979 AC.

**R 338.3005**

Source: 1979 AC.

**R 338.3006**

Source: 1979 AC.

**R 338.3007**

Source: 1979 AC.

**PHARMACY - PUBLIC PARTICIPATION AT OPEN BOARD MEETINGS**

**R 338.3031**

Source: 1979 AC.

**PHARMACY—CONTINUING EDUCATION**

**R 338.3041**

Source: 2007 AACs.

**R 338.3042**

Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3043**  
Source: 2007 AACS.

**R 338.3044**  
Source: 2007 AACS.

**R 338.3045**  
Source: 1979 AC.

**CENTRALIZED PRESCRIPTION PROCESSING PHARMACIES**

**PART 1. GENERAL PROVISIONS**

**R 338.3051**  
Source: 2008 AACS.

**R 338.3052**  
Source: 2008 AACS.

**R 338.3053**  
Source: 2008 AACS.

**R 338.3054**  
Source: 2008 AACS.

**PART 2 . CONTROLLED SUBSTANCES PRESCRIPTIONS**

**R 338.3055**  
Source: 2008 AACS.

**R 338.3056**  
Source: 2008 AACS.

**CONTROLLED SUBSTANCES**

**PART 1. GENERAL PROVISIONS**

**R 338.3101**  
Source: 2004 AACS.

**R 338.3102**  
Source: 2007 AACS.

**R 338.3104**  
Source: 2002 AACS.

**R 338.3108**  
Source: 1992 AACS.

**R 338.3109**  
Source: 1979 AC.

**PART 2. SCHEDULES**

**R 338.3111**  
Source: 1995 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

- R 338.3112**  
Source: 1979 AC.
- R 338.3113**  
Source: 2002 AACS.
- R 338.3113a**  
Source: 2002 AACS.
- R 338.3114**  
Source: 1986 AACS.
- R 338.3114a**  
Source: 2002 AACS.
- R 338.3116**  
Source: 1994 AACS.
- R 338.3117**  
Source: 2002 AACS.
- R 338.3118**  
Source: 1992 AACS.
- R 338.3119**  
Source: 1992 AACS.
- R 338.3119a**  
Source: 2002 AACS.
- R 338.3119b**  
Source: 1994 AACS.
- R 338.3120**  
Source: 2007 AACS.
- R 338.3121**  
Source: 1979 AC.
- R 338.3121a**  
Source: 2002 AACS.
- R 338.3122**  
Source: 1994 AACS.
- R 338.3123**  
Source: 2007 AACS.
- R 338.3125**  
Source: 2007 AACS.
- R 338.3126**  
Source: 2002 AACS.
- R 338.3127**  
Source: 2002 AACS.
- R 338.3129**  
Source: 1992 AACS.

**PART 3. LICENSES**

**R 338.3131**  
Source: 1997 AACS.

**R 338.3132**  
Source: 2007 AACS.

**R 338.3133**  
Source: 2002 AACS.

**R 338.3134**  
Source: 2002 AACS.

**R 338.3136**  
Source: 2002 AACS.

**R 338.3137**  
Source: 1992 AACS.

**R 338.3138**  
Source: 2002 AACS.

**R 338.3139**  
Source: 2002 AACS.

**PART 4. SECURITY**

**R 338.3141**  
Source: 2002 AACS.

**R 338.3143**  
Source: 2002 AACS.

**R 338.3145**  
Source: 2002 AACS.

**PART 5. RECORDS**

**R 338.3151**  
Source: 2002 AACS.

**R 338.3152**  
Source: 2002 AACS.

**R 338.3153**  
Source: 2002 AACS.

**R 338.3153a**  
Source: 2002 AACS.

**R 338.3154**  
Source: 2007 AACS.

**PART 6. DISPENSING AND ADMINISTERING CONTROLLED SUBSTANCE PRESCRIPTIONS**

**R 338.3161**

**Annual Administrative Code Supplement**  
**2012 Edition**

Source: 2007 AACCS.

**R 338.3162**

Source: 2007 AACCS.

**R 338.3162a**

Source: 2002 AACCS.

**R 338.3162b**

Source: 2007 AACCS.

**R 338.3162c**

Source: 2007 AACCS.

**R 338.3162d**

Source: 2007 AACCS.

**R 338.3162e**

Source: 2002 AACCS.

**R 338.3164**

Source: 2002 AACCS.

**R 338.3165**

Source: 2002 AACCS.

**R 338.3166**

Source: 2002 AACCS.

**R 338.3167**

Source: 2002 AACCS.

**R 338.3168**

Source: 2002 AACCS.

**R 338.3169**

Source: 2002 AACCS.

**R 338.3170**

Source: 2002 AACCS.

**PART 7. DISTRIBUTIONS**

**R 338.3181**

Source: 1992 AACCS.

**R 338.3182**

Source: 1992 AACCS.

**R 338.3183**

Source: 1992 AACCS.

**R 338.3185**

Source: 1992 AACCS.

**R 338.3186**

Source: 1992 AACCS.

**PART 8. ADMINISTRATIVE AND DISCIPLINARY PROCEEDINGS**

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3191**  
Source: 1997 AACS.

**R 338.3192**  
Source: 1997 AACS.

**R 338.3193**  
Source: 1997 AACS.

**R 338.3194**  
Source: 1997 AACS.

**R 338.3195**  
Source: 1997 AACS.

**R 338.3196**  
Source: 1997 AACS.

**R 338.3197**  
Source: 1997 AACS.

**R 338.3198**  
Source: 1997 AACS.

**R 338.3198a**  
Source: 1997 AACS.

**R 338.3199**  
Source: 1997 AACS.

**R 338.3199a**  
Source: 1997 AACS.

**R 338.3199b**  
Source: 1997 AACS.

**R 338.3199c**  
Source: 1997 AACS.

**R 338.3199d**  
Source: 1997 AACS.

**R 338.3199e**  
Source: 1997 AACS.

**R 338.3199f**  
Source: 1997 AACS.

**R 338.3199g**  
Source: 1997 AACS.

**R 338.3199h**  
Source: 1997 AACS.

**R 338.3199i**  
Source: 1997 AACS.

**R 338.3199j**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3199k**  
Source: 1997 AACS.

**R 338.3199l**  
Source: 1997 AACS.

**R 338.3199m**  
Source: 1997 AACS.

**R 338.3199n**  
Source: 1997 AACS.

**R 338.3199o**  
Source: 1997 AACS.

**R 338.3199p**  
Source: 1997 AACS.

**R 338.3199q**  
Source: 1997 AACS.

**MOBILE HOME AND LAND RESOURCES DIVISION**  
**LAND SALES**

**PART 1. GENERAL PROVISIONS**

**R 338.3201**  
Source: 1990 AACS.

**R 338.3202**  
Source: 1979 AC.

**R 338.3204**  
Source: 1979 AC.

**R 338.3206**  
Source: 1979 AC.

**R 338.3208**  
Source: 1990 AACS.

**PART 3. REGISTRATION OF NONEXEMPT SUBDIVIDED LANDS**

**R 338.3218**  
Source: 1979 AC.

**R 338.3219**  
Source: 1979 AC.

**R 338.3220**  
Source: 1979 AC.

**R 338.3221**  
Source: 1979 AC.

**R 338.3231**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3232**  
Source: 1979 AC.

**R 338.3233**  
Source: 1979 AC.

**R 338.3234**  
Source: 1979 AC.

**R 338.3235**  
Source: 1979 AC.

**R 338.3236**  
Source: 1979 AC.

**R 338.3238**  
Source: 1979 AC.

**R 338.3239**  
Source: 1990 AACS.

**PART 4. PROTECTION OF PURCHASERS**

**R 338.3241**  
Source: 1979 AC.

**R 338.3242**  
Source: 1979 AC.

**R 338.3243**  
Source: 1979 AC.

**R 338.3251**  
Source: 1979 AC.

**R 338.3252**  
Source: 1979 AC.

**R 338.3253**  
Source: 1979 AC.

**R 338.3254**  
Source 1979 AC.

**R 338.3255**  
Source: 1979 AC.

**R 338.3256**  
Source: 1979 AC.

**R 338.3257**  
Source: 1979 AC.

**R 338.3258**  
Source: 1979 AC.

**R 338.3259**  
Source: 1979 AC.

**PART 5. ADVERTISING AND SALES PROMOTIONS**

**R 338.3261**

**Annual Administrative Code Supplement**  
**2012 Edition**

Source: 1979 AC.

**R 338.3262**

Source: 1979 AC.

**R 338.3263**

Source: 1979 AC.

**R 338.3264**

Source: 1979 AC.

**R 338.3265**

Source: 1979 AC.

**R 338.3266**

Source: 1979 AC.

**R 338.3267**

Source: 1979 AC.

**R 338.3268**

Source: 1979 AC.

**R 338.3269**

Source: 1979 AC.

**R 338.3270**

Source: 1979 AC.

**R 338.3281**

Source: 1979 AC.

**R 338.3282**

Source: 1979 AC.

**R 338.3283**

Source: 1979 AC.

**R 338.3284**

Source: 1979 AC.

**R 338.3291**

Source: 1979 AC.

**R 338.3292**

Source: 1979 AC.

**R 338.3295**

Source: 1979 AC.

**R 338.3301**

Source: 1979 AC.

**R 338.3302**

Source: 1979 AC.

**R 338.3303**

Source: 1979 AC.

**R 338.3304**

Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3307**  
Source: 1979 AC.

**R 338.3311**  
Source: 1979 AC.

**R 338.3312**  
Source: 1979 AC.

**R 338.3313**  
Source: 1979 AC.

**R 338.3314**  
Source: 1979 AC.

**R 338.3317**  
Source: 1979 AC.

**R 338.3321**  
Source: 1979 AC.

**R 338.3324**  
Source: 1979 AC.

**R 338.3327**  
Source: 1979 AC.

**R 338.3331**  
Source: 1979 AC.

**R 338.3332**  
Source: 1979 AC.

**R 338.3335**  
Source: 1979 AC.

**PART 8. TAXES AND ASSESSMENTS**

**R 338.3341**  
Source: 1979 AC.

**R 338.3345**  
Source: 1979 AC.

**PART 15. DECLARATORY RULINGS; INVESTIGATIONS; HEARINGS**

**R 338.3351**  
Source: 1979 AC.

**R 338.3355**  
Source: 1979 AC.

**R 338.3356**  
Source: 1979 AC.

**R 338.3461**  
Source: 1990 AACS.

**R 338.3364**  
Source: 1979 AC.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3365**  
Source: 1979 AC.

**R 338.3366**  
Source: 1979 AC.

**DIRECTOR'S OFFICE**  
**PODIATRY**

**PART 1. GENERAL PROVISIONS**

**R 338.3601**  
Source: 1997 AACS.

**R 338.3602**  
Source: 1997 AACS.

**R 338.3603**  
Source: 1997 AACS.

**R 338.3604**  
Source: 1997 AACS.

**R 338.3605**  
Source: 1997 AACS.

**R 338.3606**  
Source: 1997 AACS.

**PART 2. CRITERIA FOR PODIATRIC INTERNSHIP PROGRAMS**

**R 338.3611**  
Source: 1997 AACS.

**R 338.3612**  
Source: 1997 AACS.

**R 338.3613**  
Source: 1997 AACS.

**R 338.3614**  
Source: 1997 AACS.

**R 338.3615**  
Source: 1997 AACS.

**R 338.3616**  
Source: 1997 AACS.

**R 338.3617**  
Source: 1997 AACS.

**R 338.3618**  
Source: 1997 AACS.

**R 338.3619**  
Source: 1997 AACS.

**PART 3. CRITERIA FOR PODIATRIC PRECEPTORSHIP PROGRAMS**

**R 338.3621**  
Source: 1997 AACCS.

**R 338.3622**  
Source: 1997 AACCS.

**R 338.3623**  
Source: 1997 AACCS.

**R 338.3624**  
Source: 1997 AACCS.

**R 338.3625**  
Source: 1997 AACCS.

**R 338.3626**  
Source: 1997 AACCS.

**CONTINUING EDUCATION**

**R 338.3701**  
Source: 1979 AC.

**R 338.3702**  
Source: 1979 AC.

**R 338.3703**  
Source: 1979 AC.

**R 338.3704**  
Source: 1979 AC.

**R 338.3705**  
Source: 1979 AC.

**R 338.3706**  
Source: 1979 AC.

**R 338.3707**  
Source: 1979 AC.

**R 338.3708**  
Source: 1979 AC.

**R 338.3709**  
Source: 1979 AC.

**R 338.3710**  
Source: 1979 AC.

**R 338.3711**  
Source: 1979 AC.

**R 338.3712**  
Source: 1979 AC.

**BOARD OF VETERINARY MEDICINE**

**PUBLIC CONDUCT AT MEETINGS**

**R 338.3801**  
Source: 1979 AC.

**ADMINISTRATIVE HEARINGS—VETERINARY MEDICINE**

**R 338.3821**  
Source: 1997 AACS.

**R 338.3822**  
Source: 1997 AACS.

**R 338.3823**  
Source: 1997 AACS.

**R 338.3824**  
Source: 1997 AACS.

**R 338.3825**  
Source: 1997 AACS.

**R 338.3826**  
Source: 1997 AACS.

**R 338.3827**  
Source: 1997 AACS.

**R 338.3828**  
Source: 1997 AACS.

**R 338.3829**  
Source: 1997 AACS.

**R 338.3830**  
Source: 1997 AACS.

**R 338.3831**  
Source: 1997 AACS.

**R 338.3832**  
Source: 1997 AACS.

**R 338.3833**  
Source: 1997 AACS.

**R 338.3834**  
Source: 1997 AACS.

**R 338.3835**  
Source: 1997 AACS.

**R 338.3836**  
Source: 1997 AACS.

**R 338.3837**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3838**  
Source: 1997 AACS.

**R 338.3839**  
Source: 1997 AACS.

**R 338.3840**  
Source: 1997 AACS.

**R 338.3841**  
Source: 1997 AACS.

**R 338.3842**  
Source: 1997 AACS.

**R 338.3843**  
Source: 1997 AACS.

**R 338.3844**  
Source: 1997 AACS.

**R 338.3845**  
Source: 1997 AACS.

**R 338.3846**  
Source: 1997 AACS.

**R 338.3847**  
Source: 1997 AACS.

**R 338.3848**  
Source: 1997 AACS.

**SANITARIANS—REGISTRATION**

**R 338.3901**  
Source: 2008 AACS.

**R 338.3902**  
Source: 2008 AACS.

**R 338.3903**  
Source: 2008 AACS.

**R 338.3904**  
Source: 1997 AACS.

**R 338.3905**  
Source: 2008 AACS.

**R 338.3906**  
Source: 2008 AACS.

**R 338.3906a**  
Source: 2008 AACS.

**R 338.3907**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.3908**  
Source: 2008 AACS.

**R 338.3909**  
Source: 1982 AACS.

**R 338.3910**  
Source: 2008 AACS.

**ADMINISTRATIVE HEARINGS—SANITARIANS**

**R 338.3921**  
Source: 1997 AACS.

**ADMINISTRATIVE AND DISCIPLINARY PROCEDURE**  
**PHARMACY PRACTICE**

**R 338.3971**  
Source: 1997 AACS.

**R 338.3972**  
Source: 1997 AACS.

**R 338.3973**  
Source: 1997 AACS.

**R 338.3974**  
Source: 1997 AACS.

**R 338.3974a**  
Source: 1997 AACS.

**R 338.3975**  
Source: 1980 AACS.

**PRIVATE EMPLOYMENT BUREAU**  
**GENERAL RULES**

**R 338.4001**  
Source: 1997 AACS.

**R 338.4002**  
Source: 1997 AACS.

**R 338.4003**  
Source: 1997 AACS.

**R 338.4004**  
Source: 1997 AACS.

**R 338.4005**  
Source: 1997 AACS.

**R 338.4006**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4007**  
Source: 1997 AACS.

**R 338.4008**  
Source: 1997 AACS.

**R 338.4009**  
Source: 1997 AACS.

**R 338.4010**  
Source: 1997 AACS.

**R 338.4011**  
Source: 1997 AACS.

**R 338.4012**  
Source: 1997 AACS.

**R 338.4013**  
Source: 1997 AACS.

**R 338.4014**  
Source: 1997 AACS.

**R 338.4015**  
Source: 1997 AACS.

**R 338.4016**  
Source: 1997 AACS.

**R 338.4017**  
Source: 1997 AACS.

**R 338.4018**  
Source: 1997 AACS.

**R 338.4019**  
Source: 1997 AACS.

**R 338.4020**  
Source: 1997 AACS.

**R 338.4021**  
Source: 1997 AACS.

**R 338.4021**  
Source: 1997 AACS.

**R 338.4022**  
Source: 1997 AACS.

**R 338.4023**  
Source: 1997 AACS.

**R 338.4024**  
Source: 1997 AACS.

**R 338.4025**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4026**  
Source: 1997 AACS.

**R 338.4027**  
Source: 1997 AACS.

**DIRECTOR'S OFFICE**

**DENTISTRY**

**PART 1. GENERAL PROVISIONS**

**R 338.4101**  
Source: 1997 AACS.

**R 338.4102**  
Source: 1997 AACS.

**R 338.4103**  
Source: 1997 AACS.

**R 338.4104**  
Source: 1997 AACS.

**R 338.4105**  
Source: 1997 AACS.

**R 338.4106**  
Source: 1997 AACS.

**R 338.4107**  
Source: 1997 AACS.

**R 338.4108**  
Source: 1997 AACS.

**R 338.4109**  
Source: 1997 AACS.

**R 338.4110**  
Source: 1997 AACS.

**R 338.4111**  
Source: 1997 AACS.

**R 338.4112**  
Source: 1997 AACS.

**R 338.4113**  
Source: 1997 AACS.

**R 338.4114**  
Source: 1997 AACS.

**R 338.4115**  
Source: 1997 AACS.

**R 338.4116**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACS.

**R 338.4117**

**Source:** 1997 AACS.

**R 338.4118**

**Source:** 1997 AACS.

**R 338.4119**

**Source:** 1997 AACS.

**R 338.4120**

**Source:** 1997 AACS.

**R 338.4121**

**Source:** 1997 AACS.

**R 338.4122**

**Source:** 1997 AACS.

**R 338.4123**

**Source:** 1997 AACS.

**R 338.4124**

**Source:** 1997 AACS.

**R 338.4125**

**Source:** 1997 AACS.

**PART 2. PROFESSIONAL CONDUCT AND LICENSURE**

**R 338.4201**

**Source:** 1997 AACS.

**R 338.4202**

**Source:** 1997 AACS.

**R 338.4203**

**Source:** 1997 AACS.

**R 338.4204**

**Source:** 1997 AACS.

**R 338.4205**

**Source:** 1997 AACS.

**R 338.4206**

**Source:** 1997 AACS.

**R 338.4207**

**Source:** 1997 AACS.

**R 338.4208**

**Source:** 1997 AACS.

**R 338.4209**

**Source:** 1997 AACS.

**R 338.4210**

**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4211**  
Source: 1997 AACs.

**R 338.4212**  
Source: 1997 AACs.

**R 338.4213**  
Source: 1997 AACs.

**R 338.4214**  
Source: 1997 AACs.

**R 338.4215**  
Source: 1997 AACs.

**R 338.4216**  
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**R 338.4217**  
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**R 338.4218**  
Source: 1997 AACs.

**R 338.4219**  
Source: 1997 AACs.

**R 338.4220**  
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**R 338.4221**  
Source: 1997 AACs.

**R 338.4222**  
Source: 1997 AACs.

**R 338.4223**  
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**R 338.4224**  
Source: 1997 AACs.

**R 338.4225**  
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**R 338.4226**  
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**R 338.4227**  
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**R 338.4228**  
Source: 1997 AACs.

**R 338.4229**  
Source: 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4230**  
Source: 1997 AACS.

**R 338.4231**  
Source: 1997 AACS.

**R 338.4232**  
Source: 1997 AACS.

**R 338.4233**  
Source: 1997 AACS.

**R 338.4234**  
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**R 338.4235**  
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**R 338.4236**  
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**R 338.4237**  
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**R 338.4238**  
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**R 338.4246**  
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**R 338.4247**  
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**R 338.4248**  
Source: 1997 AACS.

**R 338.4249**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACS.

**R 338.4250**

**Source:** 1997 AACS.

**R 338.4251**

**Source:** 1997 AACS.

**R 338.4252**

**Source:** 1997 AACS.

**R 338.4253**

**Source:** 1997 AACS.

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**R 338.4256**

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**R 338.4257**

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**R 338.4258**

**Source:** 1997 AACS.

**R 338.4259**

**Source:** 1997 AACS.

**R 338.4260**

**Source:** 1997 AACS.

**R 338.4261**

**Source:** 1997 AACS.

**R 338.4262**

**Source:** 1997 AACS.

**R 338.4263**

**Source:** 1997 AACS.

**R 338.4264**

**Source:** 1997 AACS.

**R 338.4265**

**Source:** 1997 AACS.

**R 338.4266**

**Source:** 1997 AACS.

**R 338.4267**

**Source:** 1997 AACS.

**R 338.4268**

**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4269**  
Source: 1997 AACS.

**R 338.4270**  
Source: 1997 AACS.

**R 338.4271**  
Source: 1997 AACS.

**R 338.4272**  
Source: 1997 AACS.

**R 338.4273**  
Source: 1997 AACS.

**R 338.4274**  
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**R 338.4275**  
Source: 1997 AACS.

**PART 3. DENTAL HYGIENISTS AND ASSISTANTS**

**R 338.4301**  
Source: 1997 AACS.

**R 338.4302**  
Source: 1997 AACS.

**R 338.4303**  
Source: 1997 AACS.

**R 338.4304**  
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**R 338.4305**  
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**R 338.4306**  
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**R 338.4311**  
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**R 338.4312**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4313**  
Source: 1997 AACs.

**R 338.4314**  
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**R 338.4315**  
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**R 338.4330**  
Source: 1997 AACs.

**R 338.4331**  
Source: 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4332**  
Source: 1997 AACCS.

**R 338.4333**  
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**R 338.4334**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACS.

**R 338.4352**

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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4371**  
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**R 338.4383**  
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**R 338.4384**  
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**R 338.4385**  
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**PART 4. GENERAL ANESTHESIA**

**R 338.4401**  
Source: 1997 AACS.

**R 338.4402**  
Source: 1997 AACS.

**R 338.4403**  
Source: 1997 AACS.

**R 338.4404**  
Source: 1997 AACS.

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**2012 Edition**

**R 338.4405**  
Source: 1997 AACs.

**R 338.4406**  
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**R 338.4407**  
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**R 338.4408**  
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**R 338.4409**  
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Source: 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4424**  
Source: 1997 AACs.

**R 338.4425**  
Source: 1997 AACs.

**PART 5. SPECIALTIES**

**R 338.4501**  
Source: 1997 AACs.

**R 338.4502**  
Source: 1997 AACs.

**R 338.4503**  
Source: 1997 AACs.

**R 338.4504**  
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**R 338.4505**  
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**R 338.4506**  
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**R 338.4518**  
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**Source:** 1997 AACS.

**PART 6. ADMINISTRATIVE HEARINGS**

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**R 338.4601**  
Source: 1997 AACS.

**R 338.4605**  
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**R 338.4606**  
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**R 338.4607**  
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**R 338.4608**  
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**2012 Edition**

**R 338.4624**  
Source: 1997 AACCS.

**R 338.4625**  
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**R 338.4626**  
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**R 338.4641**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4643**  
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**R 338.4660**  
Source: 1997 AACCS.

**R 338.4661**  
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**R 338.4662**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1997 AACS.

**R 338.4663**

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**R 338.4664**

**Source:** 1997 AACS.

**R 338.4665**

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**R 338.4666**

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**R 338.4680**

**Source:** 1997 AACS.

**R 338.4681**

**Source:** 1997 AACS.

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**2012 Edition**

**R 338.4682**  
Source: 1997 AACS.

**R 338.4683**  
Source: 1997 AACS.

**R 338.4684**  
Source: 1997 AACS.

**R 338.4685**  
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**R 338.4686**  
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**R 338.4687**  
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**R 338.4688**  
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**R 338.4696**  
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**R 338.4697**  
Source: 1997 AACS.

**R 338.4698**  
Source: 1997 AACS.

**VETERINARY MEDICINE**

**PART 1. GENERAL PROVISIONS**

**R 338.4901**  
Source: 2011 AACS.

**R 338.4902**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 2011 AACS.

**R 338.4903**

**Source:** 2011 AACS.

**R 338.4904**

**Source:** 1997 AACS.

**R 338.4905**

**Source:** 1997 AACS.

**R 338.4906**

**Source:** 2011 AACS.

**R 338.4907**

**Source:** 1997 AACS.

**R 338.4908**

**Source:** 2011 AACS.

**R 338.4909**

**Source:** 1997 AACS.

**R 338.4910**

**Source:** 1990 AACS.

**R 338.4911**

**Source:** 2011 AACS.

**R 338.4912**

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**R 338.4913**

**Source:** 1981 AACS.

**R 338.4914**

**Source:** 1990 AACS.

**R 338.4914a**

**Source:** 2011 AACS.

**R 338.4915**

**Source:** 2011 AACS.

**R 338.4916**

**Source:** 1997 AACS.

**R 338.4917**

**Source:** 1997 AACS.

**R 338.4918**

**Source:** 2011 AACS.

**R 338.4919**

**Source:** 1981 AACS.

**R 338.4920**

**Source:** 1990 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.4921**  
Source: 2011 AACCS.

**R 338.4922**  
Source: 2011 AACCS.

**R 338.4923**  
Source: 2011 AACCS.

**R 338.4924**  
Source: 2011 AACCS.

**VETERINARY TECHNICIAN LICENSURE**

**R 338.4971**  
Source: 2011 AACCS.

**R 338.4972**  
Source: 2011 AACCS.

**R 338.4973**  
Source: 2011 AACCS.

**R 338.4974**  
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**R 338.4975**  
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**R 338.4976**  
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**R 338.4977**  
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**R 338.4978**  
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**R 338.4979**  
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**R 338.4980**  
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**R 338.4981**  
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**R 338.4982**  
Source: 2011 AACCS.

**R 338.4983**  
Source: 1997 AACCS.

**R 338.4984**  
Source: 1981 AACCS.

**ACCOUNTING**

**PART 1. GENERAL PROVISIONS**

- R 338.5101**  
Source: 2007 AACCS.
- R 338.5102**  
Source: 2007 AACCS.
- R 338.5103**  
Source: 2007 AACCS.
- R 338.5104**  
Source: 2007 AACCS.
- R 338.5105**  
Source: 2003 AACCS.
- R 338.5110**  
Source: 1998-2000 AACCS.
- R 338.5110a**  
Source: 2003 AACCS.
- R 338.5111**  
Source: 1998-2000 AACCS.
- R 338.5112**  
Source: 1998-2000 AACCS.
- R 338.5114**  
Source: 2007 AACCS.
- R 338.5115**  
Source: 1998-2000 AACCS.
- R 338.5120**  
Source: 1998-2000 AACCS.
- R 338.5125**  
Source: 1997 AACCS.
- R 338.5130**  
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- R 338.5135**  
Source: 1997 AACCS.
- R 338.5140**  
Source: 2007 AACCS.
- R 338.5145**  
Source: 2007 AACCS.
- R 338.5147**  
Source: 1998-2000 AACCS.
- R 338.5150**  
Source: 1998-2000 AACCS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.5155**  
Source: 1998-2000 AACCS.

**R 338.5160**  
Source: 1997 AACCS.

**R 338.5165**  
Source: 1997 AACCS.

**R 338.5170**  
Source: 1997 AACCS.

**PART 2. CONTINUING EDUCATION**

**R 338.5201**  
Source: 1997 AACCS.

**R 338.5205**  
Source: 1997 AACCS.

**R 338.5210**  
Source: 2007 AACCS.

**R 338.5211**  
Source: 1998-2000 AACCS.

**R 338.5215**  
Source: 2003 AACCS.

**R 338.5216**  
Source: 1998-2000 AACCS.

**R 338.5217**  
Source: 1998-2000 AACCS.

**R 338.5218**  
Source: 1996 AACCS.

**R 338.5220**  
Source: 1997 AACCS.

**R 338.5221**  
Source: 1998-2000 AACCS.

**R 338.5225**  
Source: 1997 AACCS.

**R 338.5230.**  
Source: 2003 AACCS.

**R 338.5235**  
Source: 1997 AACCS.

**R 338.5240**  
Source: 1998-2000 AACCS.

**R 338.5245**  
Source: 1997 AACCS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.5250**  
Source: 1997 AACS.

**R 338.5255**  
Source: 1998-2000 AACS.

**R 338.5260**  
Source: 1986 AACS.

**R 338.5265**  
Source: 1997 AACS.

**R 338.5270**  
Source: 1986 AACS.

**R 338.5275**  
Source: 1998-2000 AACS.

**R 338.5280**  
Source: 1997 AACS.

**R 338.5285**  
Source: 1997 AACS.

**PART 3. HEARINGS AND COMPLIANCE CONFERENCES**

**R 338.5301**  
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**R 338.5303**  
Source: 1997 AACS.

**R 338.5304**  
Source: 1997 AACS.

**R 338.5305**  
Source: 1998-2000 AACS.

**R 338.5309**  
Source: 1997 AACS.

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**R 338.5319**  
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**R 338.5321**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.5323**  
Source: 1997 AACS.

**R 338.5325**  
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**R 338.5327**  
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**R 338.5345**  
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**R 338.5347**  
Source: 1997 AACS.

**R 338.5349**  
Source: 1997 AACS.

**R 338.5351**  
Source: 1997 AACS.

**PART 4. PROFESSIONAL CONDUCT**

**R 338.5401**  
Source: 1998-2000 AACS.

**R 338.5405**  
Source: 2007 AACS.

**R 338.5410**  
Source: 1997 AACS.

**R 338.5415**  
Source: 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

- R 338.5420**  
Source: 1997 AACCS.
- R 338.5425**  
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- R 338.5430**  
Source: 1998-2000 AACCS.
- R 338.5435**  
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- R 338.5440**  
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- R 338.5445**  
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- R 338.5446**  
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- R 338.5450**  
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- R 338.5460**  
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- R 338.5465**  
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- R 338.5470**  
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- R 338.5475**  
Source: 1998-2000 AACCS.
- R 338.5480**  
Source: 1998-2000 AACCS.
- R 338.5501**  
Source: 2007 AACCS.
- R 338.5503**  
Source: 2007 AACCS.
- R 338.6001**  
Source: 2003 AACCS.
- R 338.6003**  
Source: 2003 AACCS.

**PART 3.SANITATION**

- R 338.6039**  
Source: 2003 AACCS.

**PART 4. BARBER COLLEGES**

- R 338.6045**

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**Source:** 2003 AACs.

**PHYSICIAN'S ASSISTANTS**

**PART 1. GENERAL PROVISIONS**

**R 338.6101**

**Source:** 1990 AACs.

**R 338.6102**

**Source:** 1997 AACs.

**PART 2. PHYSICIAN'S ASSISTANT PROGRAM APPROVAL**

**R 338.6201**

**Source:** 1990 AACs.

**R 338.6202**

**Source:** 1997 AACs.

**R 338.6203**

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**R 338.6204**

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**R 338.6208**

**Source:** 1997 AACs.

**R 338.6209**

**Source:** 1997 AACs.

**R 338.6210**

**Source:** 1997 AACs.

**R 338.6211**

**Source:** 1997 AACs.

**PART 3. PHYSICIAN'S ASSISTANT LICENSE**

**R 338.6301**

**Source:** 1990 AACs.

**R 338.6302**

**Source:** 1997 AACs.

**R 338.6303**

**Source:** 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.6304**  
Source: 1997 AACS.

**R 338.6305**  
Source: 1990 AACS.

**R 338.6306**  
Source: 1997 AACS.

**R 338.6307**  
Source: 1997 AACS.

**R 338.6308**  
Source: 1990 AACS.

**PART 4. ADMINISTRATIVE HEARINGS**

**R 338.6401**  
Source: 1997 AACS.

**LICENSE RENEWAL**

**R 338.7001**  
Source: 2009 AACS.

**R 338.7001a**  
Source: 2009 AACS.

**R 338.7002**  
Source: 2009 AACS.

**R 338.7003**  
Source: 2009 AACS.

**PHYSICAL THERAPY**

**R 338.7101**  
Source: 2010 AACS.

**R 338.7102**  
Source: 2010 AACS.

**R 338.7103**  
Source: 2010 AACS.

**R 338.7104**  
Source: 2010 AACS.

**R 338.7105**  
Source: 2010 AACS.

**R 338.7107**  
Source: 2010 AACS.

**R 338.7107a**  
Source: 2010 AACS.

**R 338.7107b**  
Source: 2010 AACS.

**R 338.7110**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 2010 AACCS.

**R 338.7111**

**Source:** 2010 AACCS.

**R 338.7112**

**Source:** 2010 AACCS.

**R 338.7113**

**Source:** 2010 AACCS.

**R 338.7114**

**Source:** 2010 AACCS.

**PART 1. DEFINITIONS**

**R 338.7121**

**Source:** 2010 AACCS.

**PART 2. GENERAL PROVISIONS**

**R 338.7122**

**Source:** 2010 AACCS.

**R 338.7123**

**Source:** 2010 AACCS.

**R 338.7124**

**Source:** 2010 AACCS.

**R 338.7125**

**Source:** 2010 AACCS.

**PART 3. PHYSICAL THERAPISTS**

**R 338.7131**

**Source:** 2010 AACCS.

**R 338.7132**

**Source:** 2010 AACCS.

**R 338.7133**

**Source:** 2010 AACCS.

**R 338.7134**

**Source:** 2010 AACCS.

**R 338.7135**

**Source:** 2010 AACCS.

**R 338.7136**

**Source:** 2010 AACCS.

**R 338.7137**

**Source:** 2010 AACCS.

**R 338.7138**

**Source:** 2010 AACCS.

**R 338.7139**  
Source: 2010 AACs.

**PART 4. PHYSICAL THERAPIST ASSISTANTS**

**R 338.7141**  
Source: 2010 AACs.

**R 338.7142**  
Source: 2010 AACs.

**R 338.7143**  
Source: 2010 AACs.

**R 338.7144**  
Source: 2010 AACs.

**R 338.7145**  
Source: 2010 AACs.

**R 338.7146**  
Source: 2010 AACs.

**R 338.7147**  
Source: 2010 AACs.

**R 338.7148**  
Source: 2010 AACs.

**R 338.7149**  
Source: 2010 AACs.

**R 338.7150**  
Source: 2010 AACs.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**DIRECTOR'S OFFICE**

**MARRIAGE AND FAMILY THERAPY**

**R 338.7201 Definitions.**

Rule 1. (1) As used in these rules:

- (a) "Board" means the board of marriage and family therapy.
- (b) "Code" means 1978 PA 368, MCL 333.1101 et seq.
- (c) "Department" means the department of licensing and regulatory affairs.

(2) As used in section 16903(3)(d) of the code, "organized health care setting or other arrangement" means any of the following:

- (a) A health facility or agency as defined in section 20106(1) of the code.
- (b) A mental hospital or psychiatric hospital as defined in R 330.1201(f).
- (c) A training institute.
- (d) A court family counseling service.
- (e) A church counseling program.
- (f) A marriage and family therapy practice.
- (g) A governmental agency.
- (h) A private practice of a fully licensed mental health practitioner or certified social worker.

**Annual Administrative Code Supplement**  
**2012 Edition**

(3) The terms defined in the code have the same meanings when used in these rules.  
History: 1998-2000 AACCS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7203 Limited license.**

Rule 3. (1) An individual applying for an educational limited license under section 16903(3) of the code shall submit a completed application on a form provided by the department, together with the requisite fee.

(2) In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an individual applying for an educational limited license shall comply with both of the following:

(a) Meet either of the following educational requirements, as specified under section 16909(1)(a)(i) or (ii) of the code:

(i) Possess a master's degree or higher graduate degree from a board-approved training program in marriage and family therapy that complies with the accreditation standards in R 338.7211(1).

(ii) Possess a master's degree or higher graduate degree from a board-approved college or university that meets the accreditation standards in R 338.7211(2) and complete the graduate-level courses in section 16909(1)(a)(ii) of the code.

(b) Complete a supervised clinical marriage and family therapy experience, as specified under section 16909(1)(b) of the code, in conjunction with the applicant's educational program. The supervised experience shall be obtained either in a clinical practicum during graduate education or in a postgraduate marriage and family institute training program accredited under R 338.7211(3).

History: 1998-2000 AACCS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7205 Licensure requirements.**

Rule 5. An applicant for licensure as a marriage and family therapist shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an applicant for licensure shall comply with all of the following requirements:

(a) Meet either of the following educational requirements, as specified under section 16909(1)(a) of the code:

(i) Possess a master's degree or higher graduate degree earned from a board-approved training program in marriage and family therapy that complies with the accreditation standards in R 338.7211(1).

(ii) Possess a master's degree or higher graduate degree from a board-approved college or university that meets the accreditation standards in R 338.7211(2) and complete the graduate-level courses in section 16909(1)(a)(ii) of the code.

(b) Complete a supervised clinical marriage and family therapy experience that meets the requirements of section 16909(1)(b) of the code, in conjunction with the applicant's educational program. The supervised experience shall be obtained either in a clinical practicum during graduate education or in a postgraduate marriage and family institute training program accredited under R 338.7211(3).

(c) Obtain not less than 1,000 direct client contact hours in a supervised marriage and family therapy experience, as required under section 16909(1)(c) of the code.

(d) Pass the national examination in marital and family therapy with a passing score established by the association of marital and family therapy regulatory boards.

History: 1998-2000 AACCS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7207 Examinations; eligibility.**

Rule 7. (1) To assure eligibility for the examination, an applicant shall submit a completed application on a form provided by the department, together with the requisite fee.

(2) To be eligible to sit for the examination in marital and family therapy, an applicant shall comply with either R 338.7203(2)(a) and (b) or R 338.7205(a) and (b).

History: 1998-2000 AACCS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7209 Examination adoption.**

Rule 9. The board approves and adopts the national examination in marital and family therapy that is conducted and scored by the association of marriage and family therapy regulatory boards. The passing score for the national marital and family therapy examination is the passing score established by the association of marital and family therapy regulatory boards.

History: 1998-2000 AACCS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7211 Adoption of standards by reference.**

Rule 11. (1) The board adopts by reference the accreditation standards of the commission on accreditation for marriage and family therapy education for graduate and post-graduate marriage and family therapy training programs. The standards are set forth in the publication entitled "Accreditation Standards, Version 11.0," Adopted November 2005, which is available at no

**Annual Administrative Code Supplement**  
**2012 Edition**

cost from the commission's website at <http://www.aamft.org/about/coamfte/aboutcoamfte.asp>. Copies of the standards also are available for inspection and distribution at cost from the Board of Marriage and Family Therapy, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) A higher education institution is considered approved by the board if it is accredited by the accrediting body of the region in which the institution is located and the accrediting body meets either the recognition standards and criteria of the council for higher education accreditation or the recognition procedures and criteria of the U.S. department of education. The board adopts by reference the procedures and criteria for recognizing accrediting agencies of the U. S. department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations, and the "Recognition of Accrediting Organizations, Policies and Procedures of the Council for Higher Education Accreditation, CHEA," effective June 28, 2010. Copies of the policies and procedures of the council for higher education accreditation as well as the procedures and criteria of the U.S. department of education are available for inspection and distribution at cost from the Board of Marriage and Family Therapy, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards may also be obtained at no cost from the council's website at [http://www.chea.org/recognition/CHEA\\_Recognition\\_Policy\\_and\\_Procedures.pdf](http://www.chea.org/recognition/CHEA_Recognition_Policy_and_Procedures.pdf). The federal recognition criteria may also be obtained at no cost from website for the U.S. Department of Education Office of Postsecondary Education, at <http://www2.ed.gov/admins/finaid/accred>.

(3) The board adopts by reference the standards of the following postsecondary accrediting organizations, which are available for inspection and distribution at cost from the Board of Marriage and Family Therapy, Bureau of Health Professions, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. Copies of the following standards may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Becoming Accredited, Handbook for Applicants & Candidates for Accreditation," effective March 1, 2009, which is available free of charge on the association's website at [http://www.msache.org/publications/Becoming\\_Accredited\\_090203.pdf](http://www.msache.org/publications/Becoming_Accredited_090203.pdf).

(b) The standards of the New England Association of Schools and Colleges, Inc. Commission on Institutions of Higher Education, 209 Burlington Road, Suite 201, Bedford, MA 07130, in the document entitled "Standards for Accreditation," 2005 edition, which is available at no cost on the association's website at <http://cihe.neasc.org>.

(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604, set forth in the document entitled "Handbook of Accreditation," Third Edition, which is available for no cost on the association's website <http://www.ncahlc.org/information-for-institutions/obtaining-accreditation.html>.

(d) The standards of the Northwest Commission on Colleges and Universities, 8060 165<sup>th</sup> Avenue NE, Suite 100, Redmond, WA 98052 set forth in the document entitled "Accreditation Standards," adopted 2010, which are available at no cost on the association's website at <http://www.nwccu.org>.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, Georgia 30033, set forth in the document entitled "Principles of Accreditation: Foundations for Quality Enhancement," 2010 Edition, which is available at no cost on the association's website at <http://www.sacscoc.org/principles.asp>.

(f) The standards of the Western Association of Schools and Colleges, The Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "Handbook of Accreditation," October 2008, which is available at no cost on the commission's website at [http://www.wascsenior.org/findit/files/forms/Handbook\\_of\\_Accreditation\\_2008\\_with\\_hyperlinks.pdf](http://www.wascsenior.org/findit/files/forms/Handbook_of_Accreditation_2008_with_hyperlinks.pdf).

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949 set forth in the document entitled "Accreditation Reference Handbook," August 2009, which is available at no cost on the commission's website at <http://www.accjc.org>.

History: 1998-2000 AACCS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7213 Licensure by endorsement.**

Rule 13. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. An applicant for licensure by endorsement who satisfies all of the requirements of this rule shall be deemed to meet the requirements of section 16186(1)(a) and (b) of the code.

(2) If an applicant was licensed in another state before December 31, 1999, and has been engaged in the practice of marriage and family therapy for not less than 5 years before the date of filing an application for Michigan licensure, then it will be presumed that the applicant meets the requirements of section 16186(1)(a) and (b) of the code.

(3) If an applicant does not meet the requirements of subrule (2) of this rule, then the applicant, in addition to meeting the requirements of section 16909 of the code, shall have been licensed in another state after having passed an examination under

**Annual Administrative Code Supplement**  
**2012 Edition**

R 338.7209.

(4) An applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a marriage and family therapist. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

History: 1998-2000 AACS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7215 Relicensure.**

Rule 15. An applicant whose license has been lapsed for more than 3 years may be relicensed under section 16201(4) of the code upon submitting a completed application on form provided by the department together with the requisite fee and meeting either of the following requirements:

(a) Possess a current unrestricted license in another state of the United States. An applicant shall provide for his or her license to be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a marriage and family therapist. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant.

(b) Document that the applicant has achieved a passing score on the examination approved under R 338.7209.

History: 1998-2000 AACS; 2012 MR 17, Eff. Sept 13, 2012.

**R 338.7217**

**Source:** 1998-2000 AACS.

**PODIATRIC MEDICINE AND SURGERY**

**PART 1. GENERAL PROVISIONS**

**R 338.8101**

**Source:** 1990 AACS.

**R 338.8103**

**Source:** 1990 AACS.

**R 338.8104**

**Source:** 1990 AACS.

**R 338.8107**

**Source:** 1990 AACS.

**R 338.8108**

**Source:** 1990 AACS.

**R 338.8109**

**Source:** 1990 AACS.

**R 338.8113**

**Source:** 1990 AACS.

**R 338.8125**

**Source:** 1997 AACS.

**R 338.8145**

**Source:** 1990 AACS.

**FORENSIC POLYGRAPH EXAMINERS**

**R 338.9001**

**Source:** 1983 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.9002**  
Source: 1983 AACS.

**R 338.9003**  
Source: 1983 AACS.

**R 338.9004**  
Source: 1983 AACS.

**R 338.9005**  
Source: 1983 AACS.

**R 338.9006**  
Source: 1983 AACS.

**R 338.9007**  
Source: 1983 AACS.

**R 338.9008**  
Source: 1983 AACS.

**R 338.9009**  
Source: 1983 AACS.

**R 338.9010**  
Source: 1983 AACS.

**R 338.9011**  
Source: 1983 AACS.

**R 338.9012**  
Source: 1983 AACS.

**R 338.9013**  
Source: 1983 AACS.

**NURSING**

**PART 1. GENERAL PROVISIONS**

**R 338.10101**  
Source: 2003 AACS.

**R 338.10102**  
Source: 2003 AACS.

**R 338.10103**  
Source: 1989 AACS.

**R 338.10104**  
Source: 2003 AACS.

**R 338.10199**  
Source: 1989 AACS.

**PART 2. LICENSURE**

**R 338.10201**

**Annual Administrative Code Supplement**  
**2012 Edition**

Source: 2003 AACCS.

**R 338.10202**

Source: 2003 AACCS.

**R 338.10203**

Source: 1990 AACCS.

**R 338.10204**

Source: 2003 AACCS.

**R 338.10206**

Source: 2003 AACCS.

**R 338.10299**

Source: 1990 AACCS.

**PART 3. NURSING EDUCATION PROGRAMS**

**R 338.10301**

Source: 2003 AACCS.

**R 338.10302**

Source: 1989 AACCS.

**R 338.10303**

Source: 2003 AACCS.

**R 338.10304**

Source: 2003 AACCS.

**R 338.10305**

Source: 1996 AACCS.

**R 338.10306**

Source: 1989 AACCS.

**R 338.10307**

Source: 2003 AACCS.

**R 338.10308**

Source: 2003 AACCS.

**R 338.10309**

Source: 1989 AACCS.

**R 338.10310**

Source: 1998-2000 AACCS.

**R 338.10311**

Source: 1989 AACCS.

**R 338.10312**

Source: 2003 AACCS.

**PART 4. NURSE SPECIALTY CERTIFICATION**

**R 338.10401**

Source: 1986 AACCS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.10402**  
Source: 1986 AACCS.

**R 338.10403**  
Source: 1986 AACCS.

**R 338.10404**  
Source: 2003 AACCS.

**R 338.10405**  
Source: 2003 AACCS.

**R 338.10406**  
Source: 1986 AACCS.

**PART 6. CONTINUING EDUCATION**

**R 338.10601**  
Source: 2003 AACCS.

**R 338.10602**  
Source: 1996 AACCS.

**R 338.10603**  
Source: 2003 AACCS.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**OFFICE OF HEALTH SERVICES**

**BOARD OF NURSING**

**PART 7. NURSING SCHOLARSHIP PROGRAM**

**R 338.10701**  
Source: 1998-2000 AACCS.

**R 338.10702**  
Source: 1998-2000 AACCS.

**R 338.10703**  
Source: 1998-2000 AACCS.

**R 338.10704**  
Source: 1998-2000 AACCS.

**R 338.10705**  
Source: 1998-2000 AACCS.

**DENTISTRY**

**PART 1. GENERAL PROVISIONS**

**R 338.11101**  
Source: 2011 AACCS.

**R 338.11103**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1984 AACCS.

**R 338.11105**

**Source:** 1997 AACCS.

**R 338.11107**

**Source:** 1984 AACCS.

**R 338.11109**

**Source:** 1984 AACCS.

**R 338.11115**

**Source:** 1989 AACCS.

**R 338.11117**

**Source:** 1984 AACCS.

**R 338.11120**

**Source:** 1989 AACCS.

**R 338.11121**

**Source:** 1989 AACCS.

**R 338.11199**

**Source:** 1984 AACCS.

**PART 2. LICENSURE**

**R 338.11201**

**Source:** 2006 AACCS.

**R 338.11202**

**Source:** 2006 AACCS.

**R 338.11203**

**Source:** 2006 AACCS.

**R 338.11205**

**Source:** 1997 AACCS.

**R 338.11207**

**Source:** 1997 AACCS.

**R 338.11211**

**Source:** 1997 AACCS.

**R 338.11215**

**Source:** 1997 AACCS.

**R 338.11217**

**Source:** 1997 AACCS.

**R 338.11219**

**Source:** 1997 AACCS.

**R 338.11221**

**Source:** 2006 AACCS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.11222**  
Source: 2006 AACCS.

**R 338.11223**  
Source: 2006 AACCS.

**R 338.11225**  
Source: 1997 AACCS.

**R 338.11227**  
Source: 1997 AACCS.

**R 338.11233**  
Source: 1984 AACCS.

**R 338.11235**  
Source: 1984 AACCS.

**R 338.11239**  
Source: 2011 AACCS.

**R 338.11241**  
Source: 1984 AACCS.

**R 338.11245**  
Source: 1984 AACCS.

**R 338.11247**  
Source: 2011 AACCS.

**R 338.11249**  
Source: 1998-2000 AACCS.

**R 338.11253**  
Source: 1984 AACCS.

**R 338.11255**  
Source: 2011 AACCS.

**R 338.11259**  
Source: 2011 AACCS.

**R 338.11261**  
Source: 2011 AACCS.

**R 338.11267**  
Source: 2011 AACCS.

**PART 3. EDUCATION**

**R 338.11301**  
Source: 2006 AACCS.

**R 338.11303**  
Source: 2006 AACCS.

**R 338.11307**  
Source: 2006 AACCS.

**PART 4. DELEGATION, SUPERVISION, ASSIGNMENT**

**R 338.11403**  
Source: 2006 AACS.

**R 338.11404**  
Source: 2011 AACS.

**R 338.11404a**  
Source: 2011 AACS.

**R 338.11405**  
Source: 2011 AACS.

**R 338.11405a**  
Source: 2011 AACS.

**R 338.11406**  
Source: 2006 AACS.

**R 338.11408**  
Source: 2011 AACS.

**R 338.11409**  
Source: 2011 AACS.

**PART 5. SPECIALTIES**

**R 338.11501**  
Source: 2011 AACS.

**R 338.11503**  
Source: 2011 AACS.

**R 338.11505**  
Source: 2011 AACS.

**R 338.11507**  
Source: 2011 AACS.

**R 338.11509**  
Source: 2011 AACS.

**R 338.11511**  
Source: 2011 AACS.

**R 338.11513**  
Source: 2011 AACS.

**R 338.11515**  
Source: 2011 AACS.

**R 338.11517**  
Source: 2011 AACS.

**R 338.11519**  
Source: 2011 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.11521**  
Source: 2011 AACS.

**R 338.11523**  
Source: 2011 AACS.

**R 338.11525**  
Source: 2011 AACS.

**R 338.11527**  
Source: 2011 AACS.

**PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION AND ENTERAL SEDATION**

**R 338.11601**  
Source: 2011 AACS.

**R 338.11602**  
Source: 2011 AACS.

**R 338.11603**  
Source: 2011 AACS.

**R 338.11604**  
Source: 2011 AACS.

**R 338.11605**  
Source: 2011 AACS.

**PART 7. CONTINUING EDUCATION**

**R 338.11701**  
Source: 2011 AACS.

**R 338.11703**  
Source: 2011 AACS.

**R 338.11704**  
Source: 2011 AACS.

**R 338.11704a**  
Source: 2011 AACS.

**R 338.11704b**  
Source: 2011 AACS.

**R 338.11704c**  
Source: 2011 AACS.

**R 338.11705**  
Source: 2011 AACS.

**PART 8. DENTAL AMALGAM**

**R 338.11801 Definitions.**

Rule 1801. (1) As used in these rules:

(a) "Amalgam separator" means a device designed to remove dental amalgam waste particles from dental office wastewater.

**Annual Administrative Code Supplement**  
**2012 Edition**

- (b) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.
  - (c) "Dental amalgam" means a mixture of mercury and other metals used as a dental restorative material.
  - (d) "Dental amalgam waste" means waste from a dental office containing any of the following:
    - (i) Contact amalgam waste, which means dental amalgam that has been in contact with the patient including, but not limited to, extracted teeth with dental amalgam restorations; carving scrap collected at chair-side; and dental amalgam captured by chair-side traps, vacuum pump filters, amalgam separators, or other dental amalgam capture devices.
    - (ii) Non-contact amalgam scrap, which means dental amalgam that has not been in contact with the patient including, but not limited to, excess dental amalgam mix remaining at the end of a dental procedure.
    - (iii) Empty amalgam capsules, which means individually dosed containers left over after mixing precapsulated dental amalgam.
    - (iv) Dental amalgam that may have accumulated in the plumbing system or that is found in other areas of a dental office.
  - (e) "Dentist," for the purposes of these rules, means an individual licensed under section 16611 of the code who uses or removes dental amalgam or who owns or operates a dental office that generates dental amalgam waste.
  - (f) "Department" means the department of licensing and regulatory affairs.
  - (g) "Discharge" means the release of any dental amalgam waste into the environment. This includes any releases to land, ground or surface waters, septic systems, or wastewater treatment systems.
  - (h) "Holding tank" means a closed, watertight, sealed structure designed and used to receive and store wastewater. Holding tanks are designed and constructed for ultimate disposal of collected wastewater at another site.
- (2) Terms defined in the code have the same meanings when used in these rules.
- History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.11811 Amalgam separator; installation and operation; requirements.**

Rule 1811. (1) On or before December 31, 2013, a dentist shall install, or shall have installed, an amalgam separator on each wastewater drain in his or her dental office that is used to discharge dental amalgam waste. In addition to meeting the requirements of the code and these rules, a dentist who is required to install an amalgam separator shall comply with all of the following:

- (a) Install an amalgam separator that meets the requirements of R 338.11813.
  - (b) Install, operate, and maintain the amalgam separator according to the manufacturer's instructions.
  - (c) Ensure the installed amalgam separator is properly sized to accommodate maximum dental amalgam wastewater flow rates at the dental office. The maximum allowable flow rate through an amalgam separator at a dental office shall not exceed the maximum flow rate capacity at which the amalgam separator was tested under R 338.11813(1)(a).
  - (d) Ensure that all wastewater from the dental office containing dental amalgam waste passes through an installed and properly functioning and maintained amalgam separator before being discharged.
- (2) Subrule (1) of this rule shall not apply to any of the following:
- (a) Oral and maxillofacial surgeons.
  - (b) Oral and maxillofacial radiologists.
  - (c) Oral pathologists.
  - (d) Orthodontists.
  - (e) Periodontists.
  - (f) Dentists while providing services in a dental school, in a hospital, or through a local health department.
  - (g) Dentists who install and use a holding tank and do not discharge amalgam waste.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.11813 Amalgam separator; requirements.**

Rule 1813. (1) An amalgam separator that is installed in a dental office under R 338.11811 shall meet all of the following requirements:

- (a) Be certified as passing the international organization for standardization (iso) 11143:2008 standard for evaluating amalgam separators.
- (b) Have a removal efficiency of not less than 95% as determined by the testing required under subdivision (a) of this subrule, based on the overall average of the 3 empty and the 3 simulated full test results.
- (c) Be tested and certified by any of the following:
  - (i) SP technical research institute of Sweden.
  - (ii) Tuv nord, Germany.
  - (iii) NSF international.
  - (iv) Both of the following:
    - (A) A testing laboratory accredited by an accreditation body that is a signatory to the international laboratory

**Annual Administrative Code Supplement**  
**2012 Edition**

accreditation cooperation's mutual recognition arrangement and has a scope of accreditation that includes iso 11143.

(B) A certification body accredited by an accreditation body that is a signatory to the international accreditation forum's multilateral recognition arrangement and has a scope of accreditation that includes iso 11143.

(2) Any amalgam separator that meets the requirements of subrule (1) of this rule shall qualify as an amalgam separator approved by the board.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.11815 Collection, disposal, and recycling of dental amalgam waste; requirements.**

Rule 1815. (1) A dentist shall comply with all of the following:

(a) Use amalgam only in a precapsulated form.

(b) Salvage, store, and recycle non-contact and contact dental amalgam materials, including empty amalgam capsules. As used in this rule and R 338.11817, "recycle" or "recycling" means sending mercury or dental amalgam waste to either the contracted separator company or a facility in the United States that will reclaim or distill the mercury for reuse. "Recycle" or "recycling" shall not include any of the following:

(i) The on-site processing of mercury or dental amalgam waste.

(ii) The sale, donation, or exchange of mercury or dental amalgam waste through internet lists.

(iii) The sale or donation of mercury or dental amalgam waste to any individual or company for any other reuse purpose.

(c) Collect and recycle extracted teeth or portions of teeth that contain dental amalgam materials.

(d) Store all dental amalgam waste in enclosed and structurally sound containers until a sufficient amount has been collected for shipment to a reclamation facility or recycler or at a minimum, recycled annually.

(e) Label all containers holding dental amalgam waste. The label shall include, at a minimum, the title "dental amalgam waste for recycling" and the date the waste was initially placed in the container.

(f) Use chair-side traps to retain amalgam and recycle the content.

(g) Recycle all amalgam materials collected in amalgam separators, vacuum pump filters, chair-side traps or other waste water processing devices.

(h) Ensure that the separators operate properly and do not become full and bypass. This may include inspecting the separators annually, halfway through the operating life, or as required by the manufacturer.

(i) Follow the steps for the cleanup of mercury spills as recommended by the department at [www.michigan.gov/mercury](http://www.michigan.gov/mercury).

(2) A dentist shall not do any of the following:

(a) Store bulk elemental mercury that is not in capsule form.

(b) Put dental amalgam waste down a toilet or drain.

(c) Put dental amalgam waste or empty amalgam capsules into trash containers, or biohazard or infectious waste bags.

(d) Disinfect teeth or any item containing dental amalgam by autoclaving or using heat.

(e) Use cleaners containing bleach or chlorine to flush drains or wastewater lines.

(3) A dentist shall train and have written procedures for training dental office staff who manage or dispose of dental amalgam waste to ensure compliance with this rule.

(4) This rule shall not apply to a dentist listed in R 338.11811(2)(a) to (f). A dentist who installs and uses a holding tank and does not discharge amalgam waste shall comply with the requirements of subrule (1), (2), and (3) of this rule, as applicable.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.11817 Record keeping.**

Rule 1817. (1) A dentist who is subject to the provisions of R 338.11811 shall maintain records at his or her dental office that include all of the following:

(a) Type of amalgam separator installed, including the manufacturer and model.

(b) Date the amalgam separator became operational.

(c) Documentation verifying that the amalgam separator meets the requirements of R 338.11813.

(d) Documentation of the manufacturer's instructions for the operation and maintenance of the amalgam separator.

(e) Service records for each amalgam separator in use at the dental office that includes all of the following:

(i) Dates of maintenance.

(ii) Dates separator contents were recycled.

(iii) Name of the staff or contractor performing the service.

(f) Documentation verifying that the dentist disposed of and recycled any dental amalgam waste that was generated from the individual's dental office consistent with the requirements of R 338.11815. The documentation shall include all of the following:

(i) Name and address of the collection service or recycler.

**Annual Administrative Code Supplement**  
**2012 Edition**

(ii) Amount by weight of dental amalgam waste that was collected and the date it was collected or shipped from the dental office for recycling.

(iii) Name and address of the facility where the dental amalgam waste will be recycled.

(iv) Shipping or manifest papers documenting transfer of the dental amalgam waste to the recycler.

(2) The records required under subrule (1) of this rule shall be provided upon request to an authorized state official, local public health department staff, or local municipality's representative.

(3) All records required under subrule (1) of this rule shall be retained for a minimum of 3 years.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.11819 Verification.**

Rule 1819. A dentist who is subject to the provisions of R 338.11811 shall verify that he or she is in compliance with these rules and provide with each license renewal application the amalgam separator make and year that each separator was installed.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**R 338.11821 Compliance and enforcement.**

Rule 1821. Failure to comply with the requirements of these rules is a violation of section 16221(h) of the code and may result in sanctions as provided for in the code, or as otherwise provided for under state or federal law.

History: 2012 MR 22, Eff. Nov. 29, 2012.

**CHIROPRACTIC**

**R 338.12001**

Source: 2011 AACS.

**R 338.12002**

Source: 2011 AACS.

**R 338.12003**

Source: 2011 AACS.

**R 338.12004**

Source: 2011 AACS.

**R 338.12005**

Source: 2011 AACS.

**R 338.12006**

Source: 2011 AACS.

**R 338.12007**

Source: 1998-2000 AACS.

**R 338.12008**

Source: 2011 AACS.

**R 338.12008a**

Source: 2011 AACS.

**R 338.12008b**

Source: 2011 AACS.

**R 338.12009**

Source: 2011 AACS.

**R 338.12010**

Source: 2011 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 338.12011**  
Source: 2011 AACS.

**R 338.12011a**  
Source: 2011 AACS.

**R 338.12011b**  
Source: 2011 AACS.

**R 338.12012**  
Source: 1997 AACS.

**R 338.12013**  
Source: 1982 AACS.

**R 338.12014**  
Source: 2011 AACS.

**R 338.12015**  
Source: 2011 AACS.

**ACUPUNCTURE**

**R 338.13001**  
Source: 2011 AACS.

**R 338.13003**  
Source: 2011 AACS.

**R 338.13005**  
Source: 2011 AACS.

**R 338.13010**  
Source: 2011 AACS.

**R 338.13015**  
Source: 2011 AACS.

**R 338.13020**  
Source: 2011 AACS.

**R 338.13025**  
Source: 2011 AACS.

**R 338.13030**  
Source: 2011 AACS.

**R 338.13035**  
Source: 2011 AACS.

**R 338.13040**  
Source: 2011 AACS.

**R 338.13045**  
Source: 2011 AACS.

**DEPARTMENT OF LABOR & ECONOMIC GROWTH**

**Annual Administrative Code Supplement**  
**2012 Edition**

**DIRECTOR'S OFFICE**

**PREPAID FUNERAL & CEMETERY SALES**

**PART 1. GENERAL PROVISIONS**

**R 339.11**  
Source: 2006 AACS.

**PART 2. CONTRACTS**

**R 339.21**  
Source: 2006 AACS.

**R 339.22**  
Source: 2006 AACS.

**R 339.23**  
Source: 2006 AACS.

**R 339.24**  
Source: 2006 AACS.

**PART 3. STANDARDS OF OPERATION**

**R 339.31**  
Source: 2006 AACS.

**R 339.32**  
Source: 2006 AACS.

**R 339.33**  
Source: 2006 AACS.

**R 339.34**  
Source: 2006 AACS.

**R 339.35**  
Source: 2006 AACS.

**R 339.36**  
Source: 2006 AACS.

**R 339.37**  
Source: 2006 AACS.

**PART 4.RECORD KEEPING**

**R 339.41**  
Source: 2006 AACS.

**R 339.42**  
Source: 2006 AACS.

**R 339.43**  
Source: 2006 AACS.

**R 339.45**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 2006 AACS.

**R 339.47**

**Source:** 2006 AACS.

**DEPARTMENT OF LABOR AND ECONOMIC GROWTH**

**DIRECTOR'S OFFICE**

**BOXING**

**R 339.101**

**Source:** 2009 AACS.

**R 339.102**

**Source:** 2005 AACS.

**R 339.103**

**Source:** 2009 AACS.

**PART 2. PROFESSIONAL BOXING AND MIXED MARTIAL ARTS**

**R 339.201**

**Source:** 2009 AACS.

**R 339.202**

**Source:** 2009 AACS.

**R 339.202a**

**Source:** 2009 AACS.

**R 339.203**

**Source:** 2009 AACS.

**R 339.203a**

**Source:** 2009 AACS.

**R 339.203b**

**Source:** 2009 AACS.

**R 339.203c**

**Source:** 2009 AACS.

**R 339.203d**

**Source:** 2009 AACS.

**R 339.204**

**Source:** 2009 AACS.

**R 339.205**

**Source:** 2009 AACS.

**R 339.205a**

**Source:** 2009 AACS.

**R 339.206**

**Source:** 2009 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.206a**  
Source: 2009 AACCS.

**R 339.207**  
Source: 2009 AACCS.

**R 339.209**  
Source: 2005 AACCS.

**R 339.210**  
Source: 2009 AACCS.

**R 339.211**  
Source: 2009 AACCS.

**R 339.213**  
Source: 2009 AACCS.

**R 339.215**  
Source: 2009 AACCS.

**R 339.217**  
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**R 339.219**  
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**R 339.221**  
Source: 2009 AACCS.

**R 339.223**  
Source: 2009 AACCS.

**R 339.223a**  
Source: 2009 AACCS.

**R 339.225**  
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**R 339.226**  
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**R 339.229**  
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**R 339.230**  
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**R 339.231**  
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**R 339.232**  
Source: 2009 AACCS.

**R 339.233**  
Source: 2009 AACCS.

**R 339.234**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 2009 AACCS.

**R 339.234a**

**Source:** 2009 AACCS.

**R 339.235**

**Source:** 2009 AACCS.

**R 339.235a**

**Source:** 2009 AACCS.

**R 339.237**

**Source:** 2009 AACCS.

**R 339.239**

**Source:** 2005 AACCS.

**R 339.241**

**Source:** 2005 AACCS.

**R 339.243**

**Source:** 2009 AACCS.

**R 339.245**

**Source:** 2009 AACCS.

**R 339.246**

**Source:** 2009 AACCS.

**R 339.246a**

**Source:** 2009 AACCS.

**R 339.247**

**Source:** 2005 AACCS.

**R 339.249**

**Source:** 2009 AACCS.

**R 339.251**

**Source:** 2009 AACCS.

**R 339.253**

**Source:** 2009 AACCS.

**R 339.255**

**Source:** 2009 AACCS.

**R 339.257**

**Source:** 2009 AACCS.

**R 339.259**

**Source:** 2009 AACCS.

**R 339.261**

**Source:** 2009 AACCS.

**R 339.263**

**Source:** 2005 AACCS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.265**  
Source: 2009 AACS.

**R 339.267**  
Source: 2009 AACS.

**R 339.269**  
Source: 2009 AACS.

**R 339.271**  
Source: 2009 AACS.

**PART 3. FEES**

**R 339.301**  
Source: 2005 AACS.

**R 339.303**  
Source: 2009 AACS.

**PART 4.**

**R 339.401**  
Source: 2005 AACS.

**R 339.403**  
Source: 2009 AACS.

**OFFICE OF COMMERCIAL SERVICES**  
**OCCUPATIONAL BOARDS**

**R 339.601**  
Source: 1998-2000 AACS.

**PART 1. LICENSE AND REGISTRATION RENEWALS**

**R 339.1001**  
Source: 1998-2000 AACS.

**R 339.1002**  
Source: 1998-2000 AACS.

**R 339.1003**  
Source: 1998-2000 AACS.

**R 339.1004**  
Source: 1993 AACS.

**R 339.1005**  
Source: 1997 AACS.

**PART 7. DISCIPLINARY PROCEEDINGS**

**R 339.1701**  
Source: 2006 AACS.

**R 339.1705**  
Source: 2006 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.1706**  
Source: 2006 AACs.

**R 339.1707**  
Source: 1997 AACs.

**R 339.1709**  
Source: 1990 AACs.

**R 339.1711**  
Source: 1997 AACs.

**R 339.1713**  
Source: 1990 AACs.

**R 339.1715**  
Source: 1997 AACs.

**R 339.1721**  
Source: 1990 AACs.

**R 339.1725**  
Source: 1997 AACs.

**R 339.1726**  
Source: 1990 AACs.

**R 339.1727**  
Source: 1997 AACs.

**R 339.1728**  
Source: 1997 AACs.

**R 339.1731**  
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**R 339.1741**  
Source: 1997 AACs.

**R 339.1743**  
Source: 1997 AACs.

**R 339.1745**  
Source: 1997 AACs.

**R 339.1746**  
Source: 1997 AACs.

**R 339.1747**  
Source: 1990 AACs.

**R 339.1751**  
Source: 1990 AACs.

**R 339.1753**  
Source: 1997 AACs.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.1755**  
Source: 1990 AACS.

**R 339.1757**  
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**R 339.1759**  
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**R 339.1761**  
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**R 339.1763**  
Source: 1990 AACS.

**R 339.1765**  
Source: 1997 AACS.

**R 339.1767**  
Source: 1990 AACS.

**R 339.1771**  
Source: 1997 AACS.

**ATHLETICS**

**PART 1. GENERAL PROVISIONS**

**R 339.3101**  
Source: 2005 AACS.

**R 339.3102**  
Source: 2005 AACS.

**R 339.3201**  
Source: 2005 AACS.

**R 339.3202**  
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**R 339.3204**  
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**R 339.3205**  
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**R 339.3206**  
Source: 2005 AACS.

**R 339.3207**  
Source: 2005 AACS.

**R 339.3207a**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 2005 AACS.

**R 339.3208**

**Source:** 2005 AACS.

**R 339.3209**

**Source:** 2005 AACS.

**R 339.3210**

**Source:** 2005 AACS.

**R 339.3210a**

**Source:** 2005 AACS.

**R 339.3211**

**Source:** 2005 AACS.

**R 339.3212**

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**R 339.3214**

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**R 339.3217**

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**R 339.3219**

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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.3226**  
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**R 339.3227**  
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**R 339.3235**  
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**R 339.3236**  
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**R 339.3199**  
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**PART 2. PROFESSIONAL BOXING**

**R 339.3201**  
Source: 1995 AACS.

**R 339.3202**  
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**R 339.3203**  
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**R 339.3204**  
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**R 339.3206**  
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**R 339.3207**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.3207a**  
Source: 1995 AACS.

**R 339.3208**  
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**R 339.3210**  
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**R 339.3217**  
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**R 339.3224**  
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**R 339.3225**  
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**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.3226**  
**Source:** 1995 AACS.

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**R 339.3234**  
**Source:** 1985 AACS.

**R 339.3235**  
**Source:** 1995 AACS.

**R 339.3236**  
**Source:** 1995 AACS.

**DIRECTOR'S OFFICE**  
**COLLECTION AGENCIES**

**R 339.4001**  
**Source:** 1997 AACS.

**R 339.4003**  
**Source:** 1997 AACS.

**R 339.4005**  
**Source:** 1997 AACS.

**R 339.4007**  
**Source:** 1997 AACS.

**R 339.4009**  
**Source:** 1997 AACS.

**R 339.4011**  
**Source:** 1997 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**PERSONNEL AGENCIES**

**PART 1. GENERAL PROVISIONS**

**R 339.5001**  
**Source:** 1996 AACS.

**R 339.5005**  
**Source:** 1996 AACS.

**R 339.5009**  
**Source:** 1996 AACS.

**PART 2. LICENSING**

**R 339.5021**  
**Source:** 1996 AACS.

**R 339.5023**  
**Source:** 1996 AACS.

**PART 3. STANDARDS OF CONDUCT**

**R 339.5031**  
**Source:** 1996 AACS.

**R 339.5033**  
**Source:** 1996 AACS.

**R 339.5035**  
**Source:** 1996 AACS.

**R 339.5037**  
**Source:** 1996 AACS.

**R 339.5039**  
**Source:** 1996 AACS.

**BARBERS**

**PART 1. GENERAL PROVISIONS**

**R 339.6001**  
**Source:** 1991 AACS.

**R 339.6003**  
**Source:** 1991 AACS.

**R 339.6019**  
**Source:** 1991 AACS.

**PART 2. LICENSES**

**R 339.6021**  
**Source:** 1998-2000 AACS.

**PART 3. SANITATION**

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.6031**  
Source: 1991 AACCS.

**R 339.6033**  
Source: 1991 AACCS.

**R 339.6035**  
Source: 1991 AACCS.

**R 339.6037**  
Source: 1991 AACCS.

**PART 4. BARBER COLLEGES**

**R 339.6041**  
Source: 1994 AACCS.

**R 339.6045**  
Source: 2006 AACCS.

**R 339.6047**  
Source: 1991 AACCS.

**R 339.6049**  
Source: 1991 AACCS.

**R 339.6051**  
Source: 2006 AACCS.

**NURSING HOME ADMINISTRATORS**

**PART 1. GENERAL PROVISIONS**

**R 339.14001**  
Source: 1992 AACCS.

**R 339.14003**  
Source: 1998-2000 AACCS.

**R 339.14005**  
Source: 1998-2000 AACCS.

**R 339.14007**  
Source: 1998-2000 AACCS.

**R 339.14009**  
Source: 1992 AACCS.

**R 339.14011**  
Source: 1998-2000 AACCS.

**R 339.14013**  
Source: 1998-2000 AACCS.

**R 339.14015**  
Source: 1992 AACCS.

**R 339.14019**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 1992 AACS.

**PART 2. CONTINUING EDUCATION**

**R 339.14021**

**Source:** 1998-2000 AACS.

**R 339.14023**

**Source:** 1992 AACS.

**R 339.14025**

**Source:** 1998-2000 AACS.

**R 339.14027**

**Source:** 1998-2000 AACS.

**R 339.14029**

**Source:** 1992 AACS.

**R 339.14031**

**Source:** 1992 AACS.

**R 339.14033**

**Source:** 1992 AACS.

**R 339.14035**

**Source:** 1995 AACS.

**ARCHITECTS**

**PART 1. GENERAL PROVISIONS**

**R 339.15101**

**Source:** 2006 AACS.

**R 339.15102**

**Source:** 1998-2000 AACS.

**R 339.15103**

**Source:** 2006 AACS.

**R 339.15104**

**Source:** 2001 AACS.

**R 339.15105**

**Source:** 1985 AACS.

**PART 2. LICENSING CRITERIA**

**R 339.15201**

**Source:** 2006 AACS.

**R 339.15202**

**Source:** 2006 AACS.

**R 339.15203**

**Source:** 1998-2000 AACS.

**R 339.15204**

**Annual Administrative Code Supplement**  
**2012 Edition**

**Source:** 2006 AACS.

**PART 3. LICENSURE, RECIPROCITY, AND RENEWAL**

**R 339.15301**

**Source:** 1985 AACS.

**R 339.15302**

**Source:** 1985 AACS.

**PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT**

**R 339.15401**

**Source:** 1985 AACS.

**R 339.15402**

**Source:** 1985 AACS.

**R 339.15403**

**Source:** 1985 AACS.

**PROFESSIONAL ENGINEERS**

**PART 1. GENERAL PROVISIONS**

**R 339.16001**

**Source:** 2008 AACS.

**R 339.16002**

**Source:** 1998-2000 AACS.

**R 339.16003**

**Source:** 2008 AACS.

**R 339.16004**

**Source:** 2001 AACS.

**R 339.16006**

**Source:** 1985 AACS.

**PART 2. LICENSURE**

**R 339.16021**

**Source:** 2008 AACS.

**R 339.16022**

**Source:** 1985 AACS.

**R 339.16023**

**Source:** 1998-2000 AACS.

**R 339.16024**

**Source:** 1985 AACS.

**R 339.16025**

**Source:** 2008 AACS.

**R 339.16026**

**Source:** 2008 AACS.

**PART 3. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT**

**R 339.16031**  
Source: 1985 AACCS.

**R 339.16032**  
Source: 1985 AACCS.

**R 339.16033**  
Source: 1985 AACCS.

**R 339.16034**  
Source: 1985 AACCS.

**PROFESSIONAL SURVEYORS**

**PART 1. GENERAL PROVISIONS**

**R 339.17101**  
Source: 1995 AACCS.

**R 339.17102**  
Source: 1997 AACCS.

**R 339.17103**  
Source: 1985 AACCS.

**R 339.17104**  
Source: 2001 AACCS.

**R 339.17105**  
Source: 1985 AACCS.

**PART 2. EXAMINATIONS**

**R 339.17201**  
Source: 1985 AACCS.

**R 339.17202**  
Source: 1995 AACCS.

**R 339.17203**  
Source: 1993 AACCS.

**PART 3. LICENSURE, RECIPROCITY, AND RENEWAL**

**R 339.17301**  
Source: 1995 AACCS.

**R 339.17302**  
Source: 1995 AACCS.

**PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT**

**R 339.17401**  
Source: 1995 AACCS.

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**2012 Edition**

**R 339.17402**  
Source: 1985 AACS.

**R 339.17403**  
Source: 1995 AACS.

**R 339.17404**  
Source: 1995 AACS.

**FORESTERS**

**PART 1. GENERAL PROVISIONS**

**R 339.18001**  
Source: 1984 AACS.

**R 339.18005**  
Source: 1998-2000 AACS.

**R 339.18007**  
Source: 1984 AACS.

**PART 2. REGISTRATION**

**R 339.18021**  
Source: 1998-2000 AACS.

**R 339.18023**  
Source: 1984 AACS.

**R 339.18025**  
Source: 1984 AACS.

**R 339.18027**  
Source: 1984 AACS.

**R 339.18029**  
Source: 1998-2000 AACS.

**PART 3. STANDARDS OF CONDUCT**

**R 339.18031**  
Source: 1984 AACS.

**R 339.18035**  
Source: 1984 AACS.

**MORTUARY SCIENCE**

**PART 1. GENERAL PROVISIONS**

**R 339.18901**  
Source: 2001 AACS.

**R 339.18905**  
Source: 2001 AACS.

**Annual Administrative Code Supplement**  
**2012 Edition**

**R 339.18919**  
Source: 1991 AACS.

**PART 2. LICENSING**

**R 339.18921**  
Source: 2001 AACS.

**R 339.18923**  
Source: 1998-2000 AACS.

**R 339.18925**  
Source: 1991 AACS.

**R 339.18927**  
Source: 2001 AACS.

**R 339.18929**  
Source: 2001 AACS.

**PART 3. STANDARDS OF OPERATIONS**

**R 339.18930**  
Source: 2001 AACS.

**R 339.18931**  
Source: 1991 AACS.

**R 339.18933**  
Source: 1991 AACS.

**R 339.18937**  
Source: 1991 AACS.

**PART 4. STANDARDS OF CONDUCT**

**R 339.18941**  
Source: 1991 AACS.

**R 339.18943**  
Source: 1991 AACS.

**R 339.18945**  
Source: 1991 AACS.

**R 339.18947**  
Source: 1991 AACS.

**LANDSCAPE ARCHITECTS**

**PART 1. GENERAL PROVISIONS**

**R 339.19001**  
Source: 1983 AACS.

**R 339.19005**  
Source: 1998-2000 AACS.

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**2012 Edition**

**R 339.19007**  
Source: 1983 AACs.

**R 339.19020**  
Source: 1983 AACs.

**PART 2. REGISTRATION**

**R 339.19021**  
Source: 1998-2000 AACs.

**R 339.19023**  
Source: 1983 AACs.

**R 339.19025**  
Source: 1991 AACs.

**R 339.19027**  
Source: 1983 AACs.

**PART 3. EXAMINATIONS**

**R 339.19031**  
Source: 1998-2000 AACs.

**R 339.19033**  
Source: 1998-2000 AACs.

**R 339.19035**  
Source: 1998-2000 AACs.

**R 339.19037**  
Source: 1998-2000 AACs.

**R 339.19039**  
Source: 1998-2000 AACs.

**PART 4. STANDARDS OF CONDUCT**

**R 339.19041**  
Source: 1983 AACs.

**R 339.19045**  
Source: 1983 AACs.

**R 339.19049**  
Source: 1983 AACs.

**PROFESSIONAL COMMUNITY PLANNERS**

**PART 1. GENERAL PROVISIONS**

**R 339.20001**  
Source: 1996 AACs.

**R 339.20002**  
Source: 1996 AACs.

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**R 339.20009**  
Source: 1996 AACS.

**PART 2. REGISTRATION**

**R 339.20011**  
Source: 1996 AACS.

**R 339.20013**  
Source: 1996 AACS.

**R 339.20015**  
Source: 1996 AACS.

**R 339.20017**  
Source: 1996 AACS.

**R 339.20018**  
Source: 1996 AACS.

**R 339.20019**  
Source: 1996 AACS.

**PART 3. STANDARDS OF CONDUCT**

**R 339.20031**  
Source: 1996 AACS.

**R 339.20033**  
Source: 1996 AACS.

**R 339.20035**  
Source: 1996 AACS.

**R 339.20037**  
Source: 1996 AACS.

**REAL ESTATE BROKERS AND SALESPERSONS**

**PART 1. GENERAL PROVISIONS**

**R 339.22101**  
Source: 2002 AACS.

**R 339.22103**  
Source: 2002 AACS.

**R 339.22199**  
Source: 1991 AACS.

**PART 2. LICENSING**

**R 339.22201**  
Source: 2002 AACS.

**R 339.22203**  
Source: 2007 AACS.

**Annual Administrative Code Supplement**  
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**R 339.22205**  
Source: 2002 AACS.

**R 339.22207**  
Source: 2002 AACS.

**R 339.22209**  
Source: 2002 AACS.

**R 339.22211**  
Source: 2002 AACS.

**R 339.22213**  
Source: 2007 AACS.

**R 339.22215**  
Source: 2002 AACS.

**PART 3. PRACTICE AND CONDUCT**

**R 339.22301**  
Source: 2002 AACS.

**R 339.22305**  
Source: 2002 AACS.

**R 339.22307**  
Source: 2002 AACS.

**R 339.22309**  
Source: 2002 AACS.

**R 339.22310**  
Source: 2002 AACS.

**R 339.22311**  
Source: 2002 AACS.

**R 339.22313**  
Source: 2002 AACS.

**R 339.22315**  
Source: 2002 AACS.

**R 339.22317**  
Source: 2002 AACS.

**R 339.22319**  
Source: 1991 AACS.

**R 339.22321**  
Source: 2002 AACS.

**R 339.22323**  
Source: 2002 AACS.

**R 339.22325**

**Annual Administrative Code Supplement**  
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Source: 2002 AACS.

**R 339.22327**

Source: 1991 AACS.

**R 339.22329**

Source: 1991 AACS.

**R 339.22333**

Source: 2002 AACS.

**R 339.22335**

Source: 1997 AACS.

**R 339.22337**

Source: 2002 AACS.

**R 339.22339**

Source: 2002 AACS.

**PART 4. ENFORCEMENT**

**R 339.22401**

Source: 2002 AACS.

**R 339.22403**

Source: 1997 AACS.

**R 339.22405**

Source: 1991 AACS.

**PART 5. OUT-OF-STATE LAND SALES**

**R 339.22501**

Source: 1991 AACS.

**R 339.22503**

Source: 1991 AACS.

**R 339.22505**

Source: 1991 AACS.

**R 339.22507**

Source: 1991 AACS.

**R 339.22509**

Source: 1991 AACS.

**R 339.22511**

Source: 1991 AACS.

**R 339.22513**

Source: 1991 AACS.

**R 339.22515**

Source: 2002 AACS.

**R 339.22517**

Source: 1991 AACS.

**Annual Administrative Code Supplement**  
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**R 339.22519**  
Source: 2002 AACS.

**R 339.22521**  
Source: 1991 AACS.

**R 339.22523**  
Source: 2002 AACS.

**R 339.22525**  
Source: 2002 AACS.

**R 339.22527**  
Source: 2002 AACS.

**R 339.22529**  
Source: 1991 AACS.

**PART 6. REAL ESTATE EDUCATION**

**SUBPART 1. GENERAL PROVISIONS**

**R 339.22601**  
Source: 2007 AACS.

**R 339.22602**  
Source: 2007 AACS.

**R 339.22603**  
Source: 2007 AACS.

**R 339.22604**  
Source: 2007 AACS.

**R 339.22605**  
Source: 2007 AACS.

**R 339.22606**  
Source: 2007 AACS.

**R 339.22607**  
Source: 2007 AACS.

**R 339.22609**  
Source: 2007 AACS.

**R 339.22611**  
Source: 1991 AACS.

**R 339.22613**  
Source: 2007 AACS.

**R 339.22615**  
Source: 2007 AACS.

**R 339.22617**  
Source: 2007 AACS.

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**SUBPART 2. PRELICENSURE COURSES**

**R 339.22631**  
Source: 2007 AACCS.

**R 339.22633**  
Source: 2002 AACCS.

**R 339.22635**  
Source: 2002 AACCS.

**R 339.22637**  
Source: 2002 AACCS.

**R 339.22639**  
Source: 2007 AACCS.

**R 339.22641**  
Source: 2007 AACCS.

**R 339.22643**  
Source: 1991 AACCS.

**R 339.22645**  
Source: 2007 AACCS.

**R 339.22647**  
Source: 1991 AACCS.

**SUBPART 3. CONTINUING EDUCATION COURSES**

**R 339.22651**  
Source: 2007 AACCS.

**R 339.22652**  
Source: 2007 AACCS.

**R 339.22653**  
Source: 2007 AACCS.

**R 339.22654**  
Source: 2007 AACCS.

**R 339.22655**  
Source: 2007 AACCS.

**R 339.22657**  
Source: 1991 AACCS.

**R 339.22659**  
Source: 2007 AACCS.

**R 339.22661**  
Source: 2002 AACCS.

**R 339.22663**  
Source: 2007 AACCS.

**Annual Administrative Code Supplement**  
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**R 339.22664**  
Source: 2007 AACS.

**R 339.22665**  
Source: 2007 AACS.

**R 339.22667**  
Source: 1997 AACS.

**REAL ESTATE APPRAISERS**

**PART 1. GENERAL PROVISIONS**

**R 339.23101**  
Source: 2010 AACS.

**R 339.23102**  
Source: 2010 AACS.

**R 339.23103**  
Source: 2002 AACS.

**PART 2. LICENSING**

**R 339.23201**  
Source: 2007 AACS.

**R 339.23203**  
Source: 2010 AACS.

**R 339.23305**  
Source: 2010 AACS.

**R 339.23207**  
Source: 2002 AACS.

**PART 3. APPRAISER EDUCATION**

**GENERAL PROVISIONS**

**R 339.23301**  
Source: 2007 AACS.

**R 339.23303**  
Source: 2007 AACS.

**R 339.23305**  
Source: 1996 AACS.

**R 339.23307**  
Source: 2007 AACS.

**R 339.23309**  
Source: 2007 AACS.

**R 339.23311**  
Source: 2007 AACS.

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**R 339.23313**  
**Source:** 1996 AACs.

**R 339.23315**  
**Source:** 2007 AACs.

**PRELICENSURE EDUCATION**

**R 339.23316**  
**Source:** 2007 AACs.

**R 339.23317**  
**Source:** 2007 AACs.

**R 339.23319**  
**Source:** 2007 AACs.

**R 339.23320**  
**Source:** 2010 AACs.

**PART 3B. CONTINUING EDUCATION**

**R 339.23321**  
**Source:** 2007 AACs.

**R 339.23323**  
**Source:** 2002 AACs.

**R 339.23325**  
**Source:** 2010 AACs.

**R 339.23326**  
**Source:** 2010 AACs.

**R 339.23327**  
**Source:** 2010 AACs.